

By Mr. STINESS: A bill (H. R. 10101) granting a pension to Mary E. Gould; to the Committee on Pensions.

By Mr. TILSON: A bill (H. R. 10102) for the relief of A. H. Holloway; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Grand Army of the Republic, favoring an additional appropriation of a sum not exceeding \$50,000 to be added to the \$32,000 unexpended surplus fund reappropriated by act of Congress approved July 11, 1919, for the erection and completion of the national memorial archway at Vicksburg National Military Park; to the Committee on Appropriations.

By Mr. CURRY of California: Petition of S. B. Peart, J. B. Errecart, and Western Sheep Co., of Stockton, Calif., and A. L. Beal, of San Francisco, Calif., favoring the protection of the sheep industry in the United States; to the Committee on Ways and Means.

Also, petition of Lompoc Valley Bank and the Lompoc Valley Chamber of Commerce, of Lompoc, Calif., in favor of an adequate tariff on foreign-grown beans; to the Committee on Ways and Means.

By Mr. DONOVAN: Petition of Michael Davitt Branch, Friends of Irish Freedom, requesting Congress of the United States to recognize the Irish republic; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of National Editorial Association, protesting against the repeal of the zone postage law; to the Committee on Ways and Means.

By Mr. FITZGERALD: Petition of Roxbury Council, No. 123, Knights of Columbus, of Boston, Mass., protesting against the delay and lack of attention shown by the Government in its handling of the cases of many of its disabled soldiers who have been discharged from service with promises of compensation; to the Committee on Military Affairs.

By Mr. MACGREGOR: Petition of Industrial Traffic Club, of Buffalo, N. Y., protesting against the passage of the Cummins bill (S. 2906); to the Committee on Interstate and Foreign Commerce.

Also, petition of Buffalo Chamber of Commerce, protesting against many of the provisions of the Senate subcommittee bill (S. 2906); to the Committee on Interstate and Foreign Commerce.

By Mr. MEAD: Petition of sundry citizens of the State of New York, protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

Also, petition of sundry citizens of Buffalo, N. Y., protesting against the passage of the so-called Siegel bill (H. R. 8315); to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Letter from the Pasadena Ice Co., of Pasadena, Calif., protesting against the bill introduced by Representative SIEGEL providing that the cost mark be placed on all merchandise when offered for sale; to the Committee on Agriculture.

Also, letter from the California Sugar & White Pine Co., of San Francisco, Calif., protesting against the bill introduced by Representative SIEGEL known as the cost-mark bill; to the Committee on Agriculture.

Also, letter from the California Sugar & White Pine Co., of San Francisco, protesting against a bill introduced by Representative JEFFERIS which prohibits the exporting of lumber from the United States; to the Committee on Ways and Means.

By Mr. SANDERS of Indiana: Petition of J. L. Short and other residents of Brazil, Ind., favoring the passage of House bill 8157, known as Plumb plan; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, October 22, 1919.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we look to Thee for Thy guidance to-day. We pray for the grace of patriotism—a patriotism founded upon regard for Thy law and reverence for Thy name and a supreme concern for Thy will. We pray that our Nation, established in righteousness, may continue to accomplish the will of God and may receive from day to day the blessing and direction of the great God of righteousness and truth. We ask it for Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PROMOTION OF FOREIGN COMMERCE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture transmitting, in response to a resolution of the 1st instant, a statement regarding foreign marketing work of the Bureau of Markets, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CURTIS. I present a resolution of the letter carriers of Emporia, Kans., which I ask to have printed in the Record.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution adopted by the Rural Letter Carriers' Association of the fourth congressional district at their meeting held in Emporia September 1, 1919.

EMPORIA, KANS., September 1, 1919.

DEAR SIRS: We, the rural letter carriers of the fourth congressional district of the State of Kansas, now in session, beg leave to have you make this statement in Congress: "That the rural letter carriers are subjected to such an increased cost of living and equipment and upkeep of same that we are in dire need of immediate help, and must have it if we are to be able to keep up with the present cost, and that we ought to have at least 40 per cent increase on the salary now received."

T. D. LITTLE,
C. C. PHELPS,
A. W. REED,
Committee.

Mr. SMITH of South Carolina. I ask unanimous consent to have printed in the RECORD a resolution from Old Hickory (Thirtieth Division) Association, favoring immediate ratification of the treaty of peace with Germany.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

OLD HICKORY (THIRTIETH DIVISION) ASSOCIATION.

Resolution favoring immediate ratification of the treaty of peace with Germany.

Whereas it was the high honor of the Thirtieth Division, American Expeditionary Forces, to play an important part in bringing the long and terrible war with Germany and her allies to a successful close; and

Whereas we believe it is necessary to the future peace and welfare of the United States and of the world that the treaty of peace with Germany, including the league of nations covenant, be ratified by the United States without further delay, leaving all imperfections or imagined errors therein to be corrected hereafter by the use of the adequate machinery provided therein for that purpose: Be it

Resolved, First, that it is the sentiment of this association that the treaty of peace with Germany, including the league of nations covenant, should be immediately ratified in its present form without amendment or reservation, and the Senate of the United States is respectfully urged to do its part to that end, in order that the spiritual and material blessings of peace may once more be restored to the world, in order that the danger of future wars may be lessened and in order that we as a nation may live up to the high purposes for which we entered the war and for which so many members of our division gave their lives upon the battle fields of France and Belgium.

Second, that copies of this resolution be sent to the President of the United States, the President of the United States Senate, the United States Senators from North Carolina, South Carolina, and Tennessee, and copies be given to the press.

Mr. WARREN presented a petition of the Retail Grocers and Butchers' Association, of Cheyenne, Wyo., praying for the enactment of legislation to decrease the high cost of living, which was referred to the Committee on the Judiciary.

Mr. FRELINGHUYSEN presented a petition of the National Association for the Advancement of Colored People, of Newark, N. J., praying for the passage of Senate Resolution 189 for the protection of the colored race, which was referred to the Committee on the Judiciary.

Mr. NEWBERRY presented a telegram in the nature of a petition from the Michigan Baptist Ministers' Association, of Flint, Mich., and a petition of the Association of Congregational Churches, of Saginaw, Mich., praying for the ratification of the proposed league of nations treaty, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Detroit, Mich., remonstrating against the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. NELSON presented a petition of the city council of Minneapolis, Minn., praying for Federal regulation of the manufacture and distribution of sugar, which was referred to the Committee on Agriculture and Forestry.

Mr. PHELAN presented a petition of sundry citizens of Berkeley, Calif., praying for the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

Mr. CAPPER presented a petition of sundry citizens of Woodston, Kans., praying for the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

He also presented a memorial of Subordinate Lodge No. 292, International Brotherhood of Boiler Makers and Iron Ship Builders and Helpers of America, of Parsons, Kans., remonstrating against the passage of the so-called Cummins bill for the operation of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Rural Letter Carriers' Association of the Fourth Congressional District of Kansas, praying for an increase in salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

STEPHEN A. WINCHELL.

Mr. CAPPER, from the Committee on Military Affairs, to which was referred the bill (S. 1374) for the relief of Stephen A. Winchell, reported it without amendment and submitted a report (No. 274) thereon.

EXTENSION OF PASSPORT CONTROL.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably, with an amendment, the bill (H. R. 9782) to regulate further the entry of aliens into the United States.

The bill is of great importance, and I think there is no objection to it. The committee was unanimous in reporting it favorably. It passed the House of Representatives by a vote of 284 to 1, I believe, and its passage is recommended by the State Department and by the President. The purpose of the bill is to extend the present passport arrangements until suitable legislation in reference to immigration is perfected and passed by the two Houses, which ought to be done as soon as possible, but it will take some time to enact such legislation. I ask unanimous consent for the present consideration of the bill.

Mr. MYERS. I will ask the Senator from Massachusetts if the consideration and passage of the bill will require much time?

Mr. LODGE. I have just reported the bill from the Committee on Foreign Relations. I do not think it will take more than a few moments to pass it.

Mr. POINDEXTER. I ask that the bill may be read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That if the President shall find that the public safety requires that restrictions and prohibitions in addition to those provided otherwise than by this act be imposed upon the entry of aliens into the United States, and shall make public proclamation thereof, it shall, until otherwise ordered by the President or Congress, be unlawful—

(a) For any alien to enter or attempt to enter the United States except under such reasonable rules, regulations, and orders, and subject to such passport, visé, or other limitations and exceptions as the President shall prescribe;

(b) For any person to transport or attempt to transport into the United States another person with knowledge or reasonable cause to believe that the entry of such other person is forbidden by this act;

(c) For any person knowingly to make any false statement in an application for a passport or other permission to enter the United States with intent to induce or secure the granting of such permission, either for himself or for another;

(d) For any person knowingly to furnish or attempt to furnish or assist in furnishing to another a viséed passport or other permit or evidence of permission to enter, not issued and designed for such other person's use;

(e) For any person knowingly to use or attempt to use any viséed passport or other permit or evidence of permission to enter not issued and designed for his use;

(f) For any person to forge, counterfeit, mutilate, or alter, or cause or procure to be forged, counterfeited, mutilated, or altered, any passport, visé, or other permit or evidence of permission to enter the United States;

(g) For any person knowingly to use or attempt to use or furnish to another for use any false, forged, counterfeited, mutilated, or altered passport, permit, or evidence of permission, or any passport, permit, or evidence of permission which, though originally valid, has become or been made void or invalid.

SEC. 2. That any person who shall willfully violate any of the provisions of this act, or of any order or proclamation of the President promulgated, or of any permit, rule, or regulation issued thereunder, shall, upon conviction, be fined not more than \$5,000, or, if a natural person, imprisoned for not more than five years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation shall be punished by like fine or imprisonment, or both; and any vehicle or any vessel, together with its or her appurtenances, equipment, tackle, apparel, and furniture, concerned in any such violation, shall be forfeited to the United States.

SEC. 3. That the term "United States" as used in this act includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States.

The word "person" as used herein shall be deemed to mean any individual, partnership, association, company, or other unincorporated body of individuals, or corporation, or body politic.

SEC. 4. That in order to carry out the purposes and provisions of this act the sum of \$600,000 is hereby appropriated.

SEC. 5. That this act shall take effect upon the date when the provisions of the act of Congress approved the 22d day of May, 1918,

entitled "An act to prevent in time of war departure from and entry into the United States, contrary to the public safety," shall cease to be operative, and shall continue in force and effect for a period of one year thereafter.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment, in section 5, page 5, line 3, after the word "operative," to strike out "and shall continue in force and effect for a period of one year thereafter."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. LODGE. I ask to have printed in connection with the bill the report of the House committee, which took some testimony and presented an excellent report. I also ask that the message of the President, the letter of the Secretary of State to the President, and the paraphrase of telegrams from our ambassadors relating to the bill may be printed in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

[House Report No. 382, Sixty-sixth Congress, first session.]

The Committee on Foreign Affairs, to which was referred the bill (H. R. 9782) to regulate further the entry of aliens into the United States, having had the same under consideration, reports it back to the House with certain amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The amendments are as follows:

Page 3, line 7, strike out "\$10,000" and insert "\$5,000."

Page 3, line 8, strike out "twenty" and insert "five."

Your committee, in considering legislation of this character, has had the benefit of the testimony of the Secretary of State, of Hon. Wilbur J. Carr, Director of the Consular Service, and of R. W. Flournoy, Jr., Chief of the Division of Passport Control of the State Department. Hon. ALBERT JOHNSON, of Washington, the author of House joint resolution 205, for which the present bill is in the nature of a substitute, also appeared before the committee in behalf of legislation of this character.

The act of Congress entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," approved May 22, 1918, established a strict system of passport control for all travelers to and from the United States, whether American citizens or not. By its terms, this act ceases to be operative with the termination of the present war. The recommendation of the Secretary of State is to the effect that so far as persons entering the United States, whether American citizens or aliens, are concerned, the act should, for the national welfare, be extended for a period of one year beyond the termination of the war. Your committee, after careful consideration, has decided that, in spite of certain administrative difficulties, it is wiser not to extend the act in so far as the controlling of American citizens is concerned. On the other hand, your committee has been fully convinced that urgent considerations of public welfare make desirable the extension of the act so far as incoming aliens are concerned for the period of at least one year.

It will be noted that the existing act is applicable to four classes of persons: (1) Outgoing Americans, (2) outgoing aliens, (3) incoming Americans and (4) incoming aliens.

The recommendation of the State Department, as previously stated, was that control over the first two classes should cease with the promulgation of the treaty of peace. Your committee agrees with this conclusion, but goes further and recommends that the third class—incoming Americans—be also freed from restraint or control when the present war technically comes to an end.

The Secretary of State testified that for some time—probably for some years—the other great Governments of the world would doubtless continue in effect the very rigid passport requirements which have prevailed since 1914. This being true, it is quite probable that American travelers abroad will, as a matter of common precaution, and as a practical matter, need passports after the present law lapses; but your committee, while fully recognizing this fact, felt that so far as our own legislation was concerned, the control of the movements of American citizens desiring to travel abroad should again become unhampered and unembarrassed at the earliest possible moment.

The bill recommended by your committee follows almost verbatim the language of the present act. The only changes of consequence are the following:

(1) Whereas the present act imposes a penalty for violation of not more than \$10,000 fine, or not more than 20 years' imprisonment, your committee recommends a maximum of \$5,000 fine and 5 years' imprisonment. This recommendation is upon the theory that the very drastic penalties provided in the present act were made to meet war conditions and war emergencies, and that as the proposed bill becomes operative only with the arrival of peace, the original penalties may safely and properly be greatly reduced.

(2) Section 2 of the original act, which dealt with the movements of American citizens, is altogether eliminated for reasons above indicated.

(3) Section 4 of the proposed bill appropriates the sum of \$600,000 to meet the necessary expenses of carrying out the provisions of the bill for the remainder of the present fiscal year.

(4) Section 5 of the bill provides that it shall take effect when the provisions of the present act cease to be operative and shall continue in force and effect for one year thereafter.

The first section of the bill provides that it may cease to become operative within the year, if so ordered either by the President or by Congress.

The reasons for continuing passport control in the case of incoming aliens for at least one year seem to your committee to be numerous and compelling. As stated by Secretary Lansing, it is recommended

by the Department of State "because of the great unrest and disorder throughout Europe at the present time, and the fact that many persons are seeking admission to the United States, of whom a large number seem to be unsuitable for future citizenship or else are engaged in very radical propaganda against our institutions."

The State Department has obtained from our representatives abroad their opinion as to the importance of continuing the legislation. Herewith are appended statements of Ambassador Davis, at London; Ambassador Wallace, at Paris; Minister Garrett, at The Hague; Minister Schmedeman, at Christiania, Norway; Minister Stovall, at Berne, Switzerland; and others:

[Paraphrase of telegram from London embassy.]

MAY 24, 1919.

SECRETARY OF STATE,
Washington, D. C.:

Under present circumstances I recommend strongly that present visé requirements and verifications of passports of American citizens returning to the United States continue until situation becomes more normal. The consul general concurs fully.

It is understood British authorities still retain certain control over persons leaving England, and if question of validity of American passports were left to the British port authorities much inconvenience might result for the bearers. Furthermore, existing system of thorough interrogation of applicant and inspection of passports by consular officers necessarily must discourage presentation of false papers. Department already aware that the Bolshevik authorities in Russia are acquiring genuine American passports, intending to use them to send their agents to the United States and elsewhere; some of these passports undoubtedly will appear here.

DAVIS.

[Paraphrase of telegram from Paris.]

JUNE 7, 1919.

SECRETARY OF STATE,
Washington, D. C.:

Referring particularly circular telegraphic instruction 324, March 7: I believe not advisable at present to discontinue alien visés and relax control of aliens traveling to United States, because such course would promote immigration which is undesirable, at least until demobilization American Army and adjustment labor conditions. After conclusion of peace, therefore, visés should be maintained, but verifications completely abolished. However, foreign Governments will probably require for some time that passports be presented as documents of identity. In this respect note that many new form passports are presented for renewal more than 30 days after expiration, holders explaining that more punctual personal application not feasible. In order that more urgent matters might receive prompt attention, would it not be well to grant such extensions upon satisfactory explanation of delay, rather than to incur the additional clerical work by requiring that applications for emergency passports be made point of interrogation?

WALLACE.

[Paraphrase of telegram from minister at The Hague.]

JUNE 4.

SECRETARY OF STATE,
Washington:

The department's circular instruction of May 22 acknowledged. A summary of opinions of consuls and attachés with regard to visé requirements for aliens traveling to the United States after conclusion of peace follows:

The consul general at Rotterdam: The present requirements should remain in force at least until far stricter immigration laws have been enacted by Congress, as thousands of persons of all nationalities will endeavor to emigrate to the United States, and unless examined for visé great numbers of undesirables will undoubtedly obtain admission. Moreover, unless strict control is observed, Bolshevik elements of enemy countries will swarm into the United States and endanger the country's welfare. Enemy subjects should not be permitted, except in special cases, to enter for a considerable period.

The consul at Amsterdam: All aliens proceeding to the United States should obtain American visé for as long a time after the conclusion of peace as danger exists from Bolshevism and other forms of agitation and revolution detrimental to the welfare of America.

The military attaché: Aliens proceeding to the United States should be bearers of passports with American visé for one year after the definite conclusion of peace, because of immense exodus of population from Germany and other central European countries, since it is obvious that a majority of these people will attempt to proceed to the United States by way of the Netherlands. It is safe to assume that a large percentage of the people from Germany and central countries, as well as from southern parts of Russia, will be undesirable, many of them for political reasons.

The naval attaché: At least for the near future, all aliens proceeding to the United States should be bearers of passports with the American visé. At present there is too much Bolshevism and other agitation to warrant dispensing with this control. There may be a great wave of emigration to America after the conclusion of peace. In such case the visé of passports would give great opportunity so to restrict emigration to America as to keep out the dregs of Europe.

End of summary.

The minister at The Hague entirely concurs with the above consensus of opinion. He believes that agitators, Bolsheviks, and propagandists will continue actively and factiously at work. It is likely that other countries will try to get rid of these persons and that the worst of them will go to the country to which the entry is easiest and where there is the least to explain. American control organizations have been built up during the war and have at their disposal voluminous suspect lists and facilities for identifying undesirables and dangerous persons. The visé control would, therefore, seem to present the most ready as well as the least objectionable method of meeting the after-war problems of emigration to the United States and it need in no wise keep out persons who are desirable.

However, it is obvious that the value of the control will depend not only on its efficiency but on the uniformity with which it is carried out. A good control in one country or one part of a country will be entirely nullified by looser control elsewhere. The concentration of control in each country and an immediate and speedy interchange of information between the controls should be worked out by the department, and especially instructed men without other and irrelevant duties should be put in charge of the work.

GARRETT.

[Paraphrase of telegram received from the American legation at Copenhagen.]

MAY 28, 1919.

I agree fully with the military and naval attachés that the visé passports of foreigners going to United States should be continued for a very considerable period after the conclusion of peace: (A) To exclude Bolshevik and German propagandist. (B) To protect further American labor after demobilization. (C) Because control at port of entry can not be so efficient. (D) Statistics gathered by investigation of applicants here are of great value. (E) It affords unusual opportunity to inquire into many business activities which would not be possible otherwise. Furthermore, we are of opinion that the abolition of seamen control is unfortunate, in that it affords comparatively easy means for undesirables to reach our shores. Whatever it may cost the Government, it is our opinion that return would far outweigh expenditure.

[Paraphrase of telegram received from the American consul, Archangel.]

MAY 29, 1919.

We are all strongly of opinion that aliens going to the United States after conclusion of peace should be required to have passports viséed. It is regarded as certain that a large number of aliens will try to enter the United States from this part of the world to spread Bolshevik propaganda. Consuls are decidedly in the best position to distinguish these from desirable emigrants or travelers.

POOLE.

[Paraphrase of telegram from consul at Christiania.]

MAY 26, 1919.

SECRETARY OF STATE,
Washington:

Military attaché, consul general, and I recommend aliens going to the United States be required to have passports viséed, in order that they may be examined in their native lands and undesirables more effectively eliminated than possible for immigration authorities in ports of United States. We regard it most important that funds for investigation be continued. The military attaché recommends that they be placed entirely in the hands of the consul general.

SCHMEDEMAN.

[Paraphrase of telegram received from the American Legation, Switzerland.]

MAY 24, 1919.

Recommend that passports for aliens be strictly supervised after peace. The peril of Germans and Bolsheviks will not cease for at least a year. Vitality necessary, because of rumors of rapprochement between Germans and possible future enemies of United States.

STOVALL.

The Secretary of State asserts positively that it will be the policy of the department, if the law is extended, to exclude only those aliens whose admission to the United States the department believes would prove prejudicial to the best interests of our country. There would be no attempt or desire to regulate the amount of immigration and the number of immigrants by this means. Upon this important point it may be well to quote the testimony before the committee of the Secretary of State:

"The CHAIRMAN. . . . Assuming that this act is limited to incoming aliens, what would be the policy of the department, if you are prepared to indicate, as to dealing with immigrants who apply for visés from the various parts of Europe? Would you expect to grant a visé to everyone who could prove himself not dangerous to public morals or society, or what would be the scheme by which visés would be granted or withheld?"

"Secretary LANSING. Of course, so far as the Department of State is concerned, it would be, as far as could be determined, the character of the individual and whether he was a proper one to admit to entry into this country."

"The CHAIRMAN. His political character or his personal character?"

"Secretary LANSING. Well, it might be both. For example, if I were considering an anarchist it would be his political character, or if I were considering the case of a criminal, that would be his personal character. So both enter into the problem."

"The CHAIRMAN. And the State Department would deal with both?"

"Secretary LANSING. As far as possible. But, of course, the immigration authorities would have the ultimate say when he reached this country."

"The CHAIRMAN. Would you attempt to exercise that control as part of a general policy indicating how much immigration should come to the United States?"

"Secretary LANSING. Not at all, unless we had a request from the immigration authorities. I assume, so far as that is concerned, we would adopt, in general, their rules."

"The CHAIRMAN. Of course, this law would give you the power to choke immigration off completely if you chose to exercise it?"

"Secretary LANSING. Of course; and that is the very thing I wanted to point out, that that is a matter for Congress and not a matter for the Department of State, and we would adopt very closely the immigration rules, I think."

"The CHAIRMAN. In other words, you would simply aim to exclude the unfit?"

"Secretary LANSING. Yes, sir; the unfit."

"The CHAIRMAN. You will not try to regulate the rise and fall of the immigration tide through the medium of this act?"

"Secretary LANSING. Not at all."

Testimony before the committee indicates that there is a very large number of aliens in Germany, Russia, and other unsettled countries who are planning to come to the United States at the earliest possible moment. Many of them, your committee believes, would be undesirable additions to our population at this time. Many of them could probably not be effectively excluded under the immigration laws. The only way to check them is to stop them before they start, by means of the passport-control system. Your committee feels strongly the importance of watching very carefully the character of immigration which shall be permitted to come to our shores during the crucial year which will follow the coming of peace. Within that year Congress can, and probably will, determine its future policy with respect to the admission or exclusion of applicants for admission to the United States. The bill recommended, therefore, is primarily to preserve the status quo while Congress is considering its permanent program of regulation.

Scarcely less important than the retention of the passport control is the provision of funds to make that control effective. The work is delicate, difficult, and expensive. To perform it properly will require the services of at least 225 special employees of the Department of State, scattered in accordance with the needs of the service over the great ports of the world from which the tide of immigration flows to the United States. Seventy-five of these special employees will be employed at \$3,000 per annum, and 150 of them at \$2,500 per annum. Their salaries, together with their traveling expenses, contingent expenses, and a small sum for additional employees within the department itself to administer the act, involve an expense of about \$75,000 a month. Your committee in recommending a \$600,000 appropriation, therefore, is reckoning upon the expenses necessary for the period of eight months from November 1 to June 30, the close of the fiscal year.

While the exact expenses of administering the present act and the receipts accruing therefrom can not be segregated with accuracy owing, in part, to the fact that our diplomatic and consular officers have divided their time between this work and their other duties, it seems reasonably clear that the expenses of administering the act have been substantially balanced by the receipts therefrom. In other words, the service has been substantially self-supporting. There is every reason to assume that this condition will continue during the extension period. Thus the appropriation recommended probably entails not the slightest actual financial burden to the Government.

Finally, your committee is satisfied that, by eliminating from the provisions of the proposal all American citizens and all aliens within the United States who desire to return to their own country, the law will operate without hardship to any, but, on the contrary, most beneficially to our national welfare. Everyone knows the danger to our institutions which may result if the extreme radical or "Red" element of Europe is allowed to come without let or hindrance to the United States. The State Department tells us frankly that it will not administer the law so as to regulate immigration as such; rather will it withhold its permission only in the case of those who by character or otherwise can not safely be allowed to form a part of our population.

For the foregoing reasons, your committee believes that this legislation should be promptly enacted.

Appended herewith as a part of this report are a message from the President of the United States recommending legislation, and a letter from the Secretary of State to the President to the same effect:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, suggesting that the passport-control act of May 22, 1918, be extended for one year after peace shall have been concluded between the United States and the Central Powers of Europe, and that ample appropriation be made for an efficient execution of that act and the regulations made under it during the remainder of the fiscal year.

This recommendation brings up for your consideration a very important question of policy which has an intimate relation to the welfare of the country. Information from the agents of the Government in foreign countries indicates that as soon as the existing restrictions upon travel are removed many persons will seek admission to this country, and that among the number are not only persons undesirable from the point of view of becoming future citizens, but persons whose origin and affiliations make it inadvisable that they should be permitted to enter the United States. The act of May 22, 1918, which makes possible the prevention of undesirable individuals from departing for the United States will automatically cease to be operative upon the establishment of a condition of peace. Individuals will then be free to come here for whatever purpose they choose, and many will come for purposes which we can not approve and which may, indeed, be dangerous to the country and to its institutions.

The immigration officials enforcing the immigration laws at the ports of the United States will not be able successfully to prevent the entry of all improper and dangerous persons because of the impracticability of developing a system of intelligence and investigation abroad to work in sufficiently close relationship to the immigration organization in the United States to be thoroughly effective in distinguishing between those individuals whose right to admission should not be questioned and those whose admission would be injurious to the country. The experience gained during the war shows that an efficient system of passport control, administered by the Department of State through the diplomatic and consular officers in foreign countries, can be depended upon to exclude practically all persons whose admission to the United States would be dangerous or contrary to the public interest. If the Congress concur in the view that the national welfare requires that the class of persons to which I have alluded should not enter this country, it is my belief that the simplest and most effective method that can be adopted would be to continue the system of control now being carried on by the Department of State, working in close cooperation with the Commissioner General of Immigration.

It is obvious that effectiveness of control can only be obtained through supplementing the regular diplomatic and consular personnel with a sufficient number of reliable and capable men, and such men as would be useful can be had only through the payment of adequate compensation. The Secretary of State estimates the expenditure required for the remainder of the current fiscal year at \$750,000, including a number of additional employees in the Department of State who would be charged to supplement the administrative organization now maintained there. I quite agree with the view that it is entirely useless to make any outlay upon this work unless sufficient money is provided with which to make control effective. It would be most unwise to permit the public to rest under the impression that an effective control was being exerted over persons seeking admission to this country when, in fact, owing to inadequate personnel and an inefficient administration of the law, dangerous persons were freely crossing our boundaries.

It is important that I should add that the increase in the number of persons desiring to come to the United States has already almost overwhelmed the existing organization abroad, and that it is very doubtful whether the system of control can be kept in operation for more than a few weeks longer without additional appropriation.

With the relaxation of restrictions upon transportation which are gradually taking place, the burden of examining applicants for passport visés will become so great as to be entirely beyond the capacity of the number of officers whose employment existing appropriations make possible. Therefore it is of the utmost importance that if the Congress should decide, as I hope it may, that the public interest requires that the exist-

ing system of control should be maintained and extended, it will enact the necessary legislation preferably by joint resolution and make ample appropriation at the earliest possible moment.

THE WHITE HOUSE,
25 August, 1919.

WOODROW WILSON.

DEPARTMENT OF STATE,
Washington, August 29, 1919.

DEAR MR. PRESIDENT: In pursuance of the act approved May 22, 1918, entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," there was built up under the direction of the Secretary of State, and in close cooperation with the immigration authorities of the Department of Labor, and the appropriate officers of the Departments of the Treasury, Justice, War, and Navy, a system of passport control with respect to aliens entering the United States. Under this system all aliens desiring to proceed from any foreign country to the United States have been required to obtain a visé of the American consular officer at the port of departure upon their passport. Aliens have not been permitted to enter the United States, even if by chance they might reach any of its ports, unless a properly viséd passport could be produced.

The act mentioned provides for passport control only during the period when the United States is at war. Consequently the question now arises whether it would be consistent with the best interests of this country to discontinue the system described. With a view of determining upon a recommendation to be made to Congress, I have sought the views of the heads of the American diplomatic missions abroad and inclose, for your information, paraphrases of telegrams embodying their opinions.

As will be noted, all of the diplomatic missions so far heard from recommend the continuance of the visé regulations. It is believed that during the continuance of the war large numbers of undesirable and dangerous persons have been kept out of the United States through the enforcement of the visé regulations. The elements of unrest and disorder, which have always existed to a certain degree, but have been kept more or less under subjection, have in the unsettled conditions arising from the war broken their bounds in various quarters, particularly in Russia and central Europe, and there is every reason to believe that large numbers of aliens who do not believe in the form of government now existing in the United States may attempt to come to this country, many of them for the express purpose of carrying on anarchistic agitation. Reports indicate that anarchistic organizations in foreign lands are engaged in a propaganda which extends beyond the limits of their own country and includes the United States, and there is no doubt that they are attempting to send agents to this country to spread their propaganda.

After considering the reports of the representatives of this country abroad and conferring with some of our ministers on this subject, I do not believe that the time for abandoning the safeguard afforded by the passport-control system has yet arrived or that it will arrive immediately upon the conclusion of peace. It furnishes valuable assistance in preventing undesirable people from coming to this country and is effective not only because it is more feasible for officers stationed in the country from which individuals seek to emigrate to obtain information concerning their antecedents, character, and objects than it is for officers in the United States to obtain such information, but also in cases which appear suspicious it is much easier to refuse a visé than to deny admittance to the suspected person after he has arrived at a port of entry of the United States.

I do not wish to be understood as holding that the visé system could or should supplant the exclusion provisions of the immigration law, but I am convinced from the operation of the system during the war that it can be for some time in the future, until conditions shall have become more settled, a very valuable adjunct in preventing the admission of agitators and other dangerous persons. In any continuance of the passport-control system the cooperation of the Bureau of Immigration of the Department of Labor, which has been so freely extended to this department, must necessarily be continued.

Two things are necessary to the continuance of the passport-control system: (1) The extension by special act or joint resolution of the act of May 22, 1918, and (2) the appropriation of a sum sufficient to pay the salaries of such additional employees as may be needed for the efficient carrying on of the work, both here and abroad, and paying the other expenses incident to the enforcement of the act. With reference to the first point it is suggested that it might be wise to extend the provisions of the act of May 22, 1918, for a period of one year after peace has been concluded with the Central Powers in Europe. If at the end of that time a further extension should be found necessary, the matter can again be submitted for the consideration of Congress.

With reference to the second point, Congress appropriated the sum of \$75,000 "for carrying out the provisions of the act" mentioned, "including contingent and miscellaneous expenses and personal services and rent in the District of Columbia and elsewhere." This appropriation not only ceased to be available on June 30, 1919, but was never more than a small item of the cost of the enforcement of the law, inasmuch as consular and immigration, military and naval officers were utilized in connection with the other duties pertaining to the war which they were discharging. It is not possible, however, to continue this longer without further appropriation, for the expense is too heavy a charge upon the regular appropriations to permit of a continuance of the work. The work here and abroad has already developed beyond the capacity of the existing organization to deal with. A careful examination of the needs, both in this department and in the Diplomatic and Consular Service abroad, convinces me that an appropriation of not less than \$750,000 will be necessary if the system of control be extended after the ratification of the treaty of peace through the existing fiscal year. The extent to which the work may be developed will be readily apparent when it is considered that the total number of immigrants admitted to this country during the fiscal year 1919 was 141,132, while the total number admitted in the year preceding the beginning of the war was 1,218,480, or more than nine times the number being admitted at the present time. It is thought, however, that some time will elapse before immigration and travel reach their prewar condition, hence the estimated expense is much less than it would be were it to be based upon even half the prewar immigration. An itemized estimate of the probable expenditure both here and abroad is inclosed. It may be plainly pointed out that it is useless to attempt to continue the system unless ample provision is made for its efficient enforcement. Regulations of the importance of those of passport control inefficiently executed or not executed at all are not only useless but, in the existing situation, may be dangerous.

The above observations relate principally to the question of continuing the visé system after the conclusion of peace. It is a serious question whether it can be continued until the conclusion of peace. Several of the diplomatic and consular offices in places from which there is a large emigration have telegraphed to the department that it is impossible for them to carry on the work properly with their present personnel. They are in immediate need of assistants, but this department has no available funds from which they can be paid. Unless funds are obtained for this purpose in the near future it will be necessary to drop the visé work altogether, even before the conclusion of peace. Judging by reports received from diplomatic and consular officers, it is believed that this would be most unfortunate.

It is proper to observe that the visé work brings a considerable revenue into the Treasury. Under the tariff of consular fees, a fee of \$1 is required for the execution of each visé application and an additional fee of \$1 for each visé. During the six months ended June 30 it appears that fees to the amount of about \$200,000 were collected under the provisions just mentioned. As the numbers of immigrants coming to the United States have been constantly increasing since the first of the year, it is believed that visé fees are now being collected at the rate of \$500,000 per annum. When immigration reaches normal proportions, the amount of the fees collected will, of course, greatly exceed the amount just mentioned. The work connected with the issuance of passports to American citizens also brings in a considerable revenue. At the rate at which this work is now proceeding it is estimated that fees to the amount of \$277,500 are now being collected annually for the issuance of passports by the department and the diplomatic and consular officers abroad and the execution of passport applications. Thus it appears that the Treasury is now annually receiving in connection with the passport work fees to the amount of about \$777,500.

I recommend that, if you approve, this matter be laid before Congress at the earliest possible moment, in order that it may determine whether the existing system shall be continued and, if so, make provisions for its efficient execution.

THE PRESIDENT,
The White House.

ROBERT LANSING.

[Public, No. 154, Sixty-fifth Congress, H. R. 10264.]

An act to prevent in time of war departure from or entry into the United States contrary to the public safety.

Be it enacted, etc., That when the United States is at war, if the President shall find that the public safety requires that restrictions and prohibitions in addition to those provided otherwise than by this act be imposed upon the departure of persons from and their entry into the United States, and shall make public proclamation thereof, it shall, until otherwise ordered by the President or Congress, be unlawful—

(a) For any alien to depart from or enter or attempt to depart from or enter the United States except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President shall prescribe.

(b) For any person to transport or attempt to transport from or into the United States another person with knowledge or reasonable cause to believe that the departure or entry of such other person is forbidden by this act.

(c) For any person knowingly to make any false statement in an application for permission to depart from or enter the United States with intent to induce or secure the granting of such permission either for himself or for another.

(d) For any person knowingly to furnish or attempt to furnish or assist in furnishing to another a permit or evidence of permission to depart or enter not issued and designed for such other person's use.

(e) For any person knowingly to use or attempt to use any permit or evidence of permission to depart or enter not issued and designed for his use.

(f) For any person to forge, counterfeit, mutilate, or alter, or cause or procure to be forged, counterfeited, mutilated, or altered, any permit or evidence of permission to depart from or enter the United States.

(g) For any person knowingly to use or attempt to use or furnish to another for use any false, forged, counterfeited, mutilated, or altered permit, or evidence of permission, or any permit or evidence of permission which, though originally valid, has become or been made void or invalid.

SEC. 2. That after such proclamation as is provided for by the preceding section has been made and published and while said proclamation is in force, it shall, except as otherwise provided by the President, and subject to such limitations and exceptions as the President may authorize and prescribe, be unlawful for any citizen of the United States to depart from or enter or attempt to depart from or enter the United States unless he bears a valid passport.

SEC. 3. That any person who shall willfully violate any of the provisions of this act, or of any order or proclamation of the President promulgated, or of any permit, rule, or regulation issued thereunder, shall, upon conviction, be fined not more than \$10,000, or, if a natural person, imprisoned for not more than 20 years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation shall be punished by like fine or imprisonment, or both; and any vehicle or any vessel, together with its or her appurtenances, equipment, tackle, apparel, and furniture, concerned in any such violation, shall be forfeited to the United States.

SEC. 4. That the term "United States," as used in this act, includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States.

The word "person" as used herein shall be deemed to mean any individual, partnership, association, company, or other unincorporated body of individuals, or corporation, or body politic.

Approved, May 22, 1918.

[Senate Document No. 79, Sixty-sixth Congress, first session.]

Message from the President of the United States transmitting a communication from the Secretary of State suggesting that the passport-control act of May 22, 1918, be extended for one year after peace shall have been concluded between the United States and the central powers of Europe.

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State suggesting that the passport-control act of May 22, 1918, be extended for one year after peace shall have been concluded between the United States and the central powers of Europe, and that ample appropriation

be made for an efficient execution of that act and the regulations made under it during the remainder of the fiscal year.

This recommendation brings up for your consideration a very important question of policy, which has an intimate relation to the welfare of the country. Information from the agents of the Government in foreign countries indicates that as soon as the existing restrictions upon travel are removed many persons will seek admission to this country, and that among the number are not only persons undesirable from the point of view of becoming future citizens but persons whose origin and affiliations make it inadvisable that they should be permitted to enter the United States. The act of May 22, 1918, which makes possible the prevention of undesirable individuals from departing for the United States, will automatically cease to be operative upon the establishment of a condition of peace. Individuals will then be free to come here for whatever purpose they choose, and many will come for purposes which we can not approve and which may, indeed, be dangerous to the country and to its institutions.

The immigration officials enforcing the immigration laws at the ports of the United States will not be able successfully to prevent the entry of all improper and dangerous persons, because of the impracticability of developing a system of intelligence and investigation abroad to work in sufficiently close relationship to the immigration organization in the United States to be thoroughly effective in distinguishing between those individuals whose right to admission should not be questioned and those whose admission would be injurious to the country. The experience gained during the war shows that an efficient system of passport control administered by the Department of State, through the diplomatic and consular officers in foreign countries, can be depended upon to exclude practically all persons whose admission to the United States would be dangerous or contrary to the public interest. If the Congress concur in the view that the national welfare requires that the class of persons to which I have alluded should not enter this country, it is my belief that the simplest and most effective method that can be adopted would be to continue the system of control now being carried on by the Department of State, working in close cooperation with the Commissioner General of Immigration.

It is obvious that effectiveness of control can only be obtained through supplementing the regular diplomatic and consular personnel with a sufficient number of reliable and capable men, and such men as would be useful can be had only through the payment of adequate compensation. The Secretary of State estimates the expenditure required for the remainder of the current fiscal year at \$750,000, including a number of additional employees in the Department of State who would be charged to supplement the administrative organization now maintained there. I quite agree with the view that it is entirely useless to make any outlay upon this work unless sufficient money is provided with which to make control effective. It would be most unwise to permit the public to rest under the impression that an effective control was being exerted over persons seeking admission to this country when, in fact, owing to inadequate personnel and an inefficient administration of the law, dangerous persons were freely crossing our borders.

It is important that I should add that the increase in the number of persons desiring to come to the United States has already almost overwhelmed the existing organization abroad, and that it is very doubtful whether the system of control can be kept in operation for more than a few weeks longer without additional appropriation.

With the relaxation of restrictions upon transportation which are gradually taking place, the burden of examining applicants for passport visés will become so great as to be entirely beyond the capacity of the number of officers whose employment existing appropriations make possible. Therefore it is of the utmost importance that if the Congress should decide, as I hope it may, that the public interest requires that the existing system of control should be maintained and extended, it will enact the necessary legislation preferably by joint resolution and make ample appropriation at the earliest possible moment.

THE WHITE HOUSE,
25 August, 1919.

WOODROW WILSON.

DEPARTMENT OF STATE,
Washington, August 20, 1919.

DEAR MR. PRESIDENT: In pursuance of the act approved May 22, 1918, entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," there was built up under the direction of the Secretary of State, and in close cooperation with the immigration authorities of the Department of Labor, and the appropriate officers of the Departments of the Treasury, Justice, War and Navy, a system of passport control with respect to aliens entering the United States. Under this system all aliens desiring to proceed from any foreign country to the United States have been required to obtain a visé of the American consular officer at the port of departure upon their passport. Aliens have not been permitted to enter the United States, even if by chance they might reach any of its ports, unless a properly viséd passport could be produced.

The act mentioned provides for passport control only during the period when the United States is at war. Consequently the question now arises whether it would be consistent with the best interests of this country to discontinue the system described. With a view of determining upon a recommendation to be made to Congress, I have sought the views of the heads of the American diplomatic missions abroad, and inclose for your information paraphrases of telegrams embodying their opinions.

As will be noted, all of the diplomatic missions so far heard from recommend the continuance of the visé regulations. It is believed that during the continuance of the war large numbers of undesirable and dangerous persons have been kept out of the United States through the enforcement of the visé regulations. The elements of unrest and disorder, which have always existed to a certain degree, but have been kept more or less under subjection, have in the unsettled conditions arising from the war broken their bounds in various quarters, particularly in Russia and Central Europe, and there is every reason to believe that large numbers of aliens, who do not believe in the form of Government now existing in the United States, may attempt to come to this country, many of them for the express purpose of carrying on anarchistic agitation. Reports indicate that anarchistic organizations in foreign lands are engaged in a propaganda which extends beyond the limits of their own country and includes the United States, and there is no doubt that they are attempting to send agents to this country to spread their propaganda.

After considering the reports of the representatives of this country abroad and conferring with some of our ministers on this subject, I do not believe that the time for abandoning the safeguard afforded by the passport-control system has yet arrived or that it will arrive immediately upon the conclusion of peace. It furnishes valuable assistance in preventing undesirable people from coming to this country, and is effective not only because it is more feasible for officers stationed in the country from which individuals seek to emigrate to obtain information concerning their antecedents, character, and objects than it is for officers in the United States to obtain such information, but also in cases which appear suspicious it is much easier to refuse a visé than to deny admittance to the suspected person after he has arrived at a port of entry of the United States.

I do not wish to be understood as holding that the visé system could or should supplant the exclusion provisions of the immigration law, but I am convinced from the operation of the system during the war that it can be for some time in the future, until conditions shall have become more settled, a very valuable adjunct in preventing the admission of agitators and other dangerous persons. In any continuance of the passport-control system the cooperation of the Bureau of Immigration of the Department of Labor, which has been so freely extended to this department, must necessarily be continued.

Two things are necessary to the continuance of the passport-control system: (1) The extension by special act or joint resolution of the act of May 22, 1918, and (2) the appropriation of a sum sufficient to pay the salaries of such additional employees as may be needed for the efficient carrying on of the work, both here and abroad, and paying the other expenses incident to the enforcement of the act. With reference to the first point it is suggested that it might be wise to extend the provisions of the act of May 22, 1918, for a period of one year after peace has been concluded with the Central Powers in Europe. If at the end of that time a further extension should be found necessary, the matter can again be submitted for the consideration of Congress.

With reference to the second point, Congress appropriated the sum of \$75,000 "for carrying out the provisions of the act" mentioned, "including contingent and miscellaneous expenses and personal services and rent in the District of Columbia and elsewhere." This appropriation not only ceased to be available on June 30, 1919, but was never more than a small item of the cost of the enforcement of the law, inasmuch as consular and immigration, military and naval officers were utilized in connection with the other duties pertaining to the war which they were discharging. It is not possible, however, to continue this longer without further appropriation, for the expense is too heavy a charge upon the regular appropriations to permit of a continuance of the work. The work here and abroad has already developed beyond the capacity of the existing organization to deal with. A careful examination of the needs, both in this department and in the Diplomatic and Consular Service abroad, convinces me that an appropriation of not less than \$750,000 will be necessary if the system of control be extended after the ratification of the treaty of peace through the existing fiscal year. The extent to which the work may be developed will be readily apparent when it is considered that the total number of immigrants admitted to this country during the fiscal year 1919 was 141,132, while the total number admitted in the year preceding the beginning of the war was 1,218,480, or more than nine times the number being admitted at the present time. It is thought, however, that some time will elapse before immigration and travel reach their prewar condition, hence the estimated expense is much less than it would be were it to be based upon even half the prewar immigration. An itemized estimate of the probable expenditure both here and abroad is inclosed. It may be plainly pointed out that it is useless to attempt to continue the system unless ample provision is made for its efficient enforcement. Regulations of the importance of those of passport control inefficiently executed or not executed at all are not only useless but, in the existing situation, may be dangerous.

The above observations relate principally to the question of continuing the visé system after the conclusion of peace. It is a serious question whether it can be continued until the conclusion of peace. Several of the diplomatic and consular offices in places from which there is a large emigration have telegraphed to the department that it is impossible for them to carry on the work properly with their present personnel. They are in immediate need of assistants, but this department has no available funds from which they can be paid. Unless funds are obtained for this purpose in the near future, it will be necessary to drop the visé work altogether, even before the conclusion of peace. Judging by reports received from diplomatic and consular officers it is believed that this would be most unfortunate.

It is proper to observe that the visé work brings a considerable revenue into the Treasury. Under the tariff of consular fees, a fee of \$1 is required for the execution of each visé application and an additional fee of \$1 for each visé. During the six months ended June 30, it appears that fees to the amount of about \$200,000 were collected under the provisions just mentioned. As the numbers of immigrants coming to the United States have been constantly increasing since the first of the year, it is believed that visé fees are now being collected at the rate of \$500,000 per annum. When immigration reaches normal proportions the amount of the fees collected will, of course, greatly exceed the amount just mentioned. The work connected with the issuance of passports to American citizens also brings in a considerable revenue. At the rate at which this work is now proceeding it is estimated that fees to the amount of \$277,500 are now being collected annually for the issuance of passports by the department and the diplomatic and consular officers abroad and the execution of passport applications. Thus it appears that the Treasury is now annually receiving in connection with the passport work fees to the amount of about \$777,500.

I recommend that, if you approve, this matter be laid before Congress at the earliest possible moment, in order that it may determine whether the existing system shall be continued, and, if so, make provisions for its efficient execution.

Faithfully, yours,

THE PRESIDENT,
The White House.

ROBERT LANSING.

Be it enacted, etc., That the provisions of the act of Congress approved the 22d day of May, 1918, entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," are, so far as they relate to entry into the United States, continued for one year after peace has been concluded with the Central Powers of Europe.

Estimate of proposed expenditure for continuance of passport control for the fiscal year ending June 30, 1920.

| | |
|---|-----------|
| Personnel and expenses abroad: | |
| 75 special employees, at \$3,000 per annum..... | \$225,000 |
| 150 special employees, at \$2,500 per annum..... | 375,000 |
| Actual and necessary traveling expenses of employees to and from posts of duty and when traveling under orders..... | 155,000 |
| Contingent expenses, United States consulates, additional for fiscal year ending June 30, 1920..... | 100,000 |
| Personnel and expenses in Washington: | |
| Additional employees, Department of State— | |
| 1 at \$3,000 per annum..... | \$3,000 |
| 2 at \$2,500 per annum..... | 5,000 |
| 2 at \$1,800 per annum..... | 3,600 |
| 2 at \$1,600 per annum..... | 3,200 |
| 4 at \$1,400 per annum..... | 5,600 |
| 8 at \$1,200 per annum..... | 9,600 |
| | 30,000 |
| Total for 12 months..... | 885,000 |
| Total for 10 months, approximately..... | 750,000 |

[Paraphrase of telegram from London embassy.]

MAY 24, 1919.

SECRETARY OF STATE,
Washington, D. C.:

Under present circumstances I recommend strongly that present visa requirements and verifications of passports of American citizens returning to the United States continue until situation becomes more normal. The consul general concurs fully.

It is understood British authorities still retain certain control over persons leaving England, and if question of validity of American passports were left to the British port authorities, much inconvenience might result for the bearers. Furthermore, existing system of thorough interrogation of applicant and inspection of passports by consular officers necessarily must discourage presentation of false papers. Department already aware that the Bolshevik authorities in Russia are acquiring genuine American passports, intending to use them to send their agents to the United States and elsewhere; some of these passports undoubtedly will appear here.

DAVIS.

[Paraphrase of telegram from Paris.]

JUNE 7, 1919.

SECRETARY OF STATE,
Washington, D. C.:

Referring particularly circular telegraphic instruction 324, March 7: I believe not advisable at present to discontinue alien visas and relax control of aliens traveling to United States, because such course would promote immigration which is undesirable, at least until demobilization American Army and adjustment labor conditions. After conclusion of peace, therefore, visas should be maintained, but verifications completely abolished. However, foreign governments will probably require for some time that passports be presented as documents of identity. In this respect, note that many new-form passports are presented for renewal more than 30 days after expiration, holders explaining that more punctual personal application not feasible. In order that more urgent matters might receive prompt attention, would it not be well to grant such extensions upon satisfactory explanation of delay, rather than to incur the additional clerical work by requiring that applications for emergency passports be made point of interrogation?

WALLACE.

[Paraphrase of telegram from minister at The Hague.]

JUNE 4.

SECRETARY OF STATE,
Washington:

The department's circular instruction of May 22 acknowledged. A summary of opinions of consuls and attachés with regard to visa requirements for aliens travelling to the United States after conclusion of peace follows:

The consul general at Rotterdam: The present requirements should remain in force at least until far stricter immigration laws have been enacted by Congress, as thousands of persons of all nationalities will endeavor to emigrate to the United States, and unless examined for visa great numbers of undesirables will undoubtedly obtain admission. Moreover, unless strict control is observed, Bolshevik elements of enemy countries will swarm into the United States and endanger the country's welfare. Enemy subjects should not be permitted, except in special cases, to enter for a considerable period.

The consul at Amsterdam: All aliens proceeding to the United States should obtain American visa for as long a time after the conclusion of peace, as danger exists from Bolshevism and other forms of agitation and revolution detrimental to the welfare of America.

The military attaché: Aliens proceeding to the United States should be bearers of passports with American visa for one year after the definite conclusion of peace because of immense exodus of population from Germany and other central European countries, since it is obvious that a majority of these people will attempt to proceed to the United States by way of the Netherlands. It is safe to assume that a large percentage of the people from Germany and central countries as well as from southern parts of Russia will be undesirable, many of them for political reasons.

The naval attaché: At least for the near future all aliens proceeding to the United States should be bearers of passports with the American visa. At present there is too much Bolshevism and other agitation to warrant dispensing with this control. There may be a great wave of emigration to America after the conclusion of peace. In such case the visaing of passports would give great opportunity so to restrict emigration to America as to keep out the dregs of Europe.

End of summary.
The minister at The Hague entirely concurs with the above consensus of opinion. He believes that agitators, Bolsheviks, and propagandists will continue actively and factiously at work. It is likely that other countries will try to get rid of these persons and that the worst of them will go to the country to which the entry is

easiest and where there is the least to explain. American control organizations have been built up during the war and have at their disposal voluminous suspect lists and facilities for identifying undesirable and dangerous persons. The visa control would therefore seem to present the most ready as well as the least objectionable method of meeting the after-the-war problems of emigration to the United States and it need in no wise keep out persons who are desirable.

However, it is obvious that the value of the control will depend not only on its efficiency but on the uniformity with which it is carried out. A good control in one country or one part of a country will be entirely nullified by looser control elsewhere. The concentration of control in each country and an immediate and speedy interchange of information between the controls should be worked out by the department, and specially instructed men without other and irrelevant duties should be put in charge of the work.

GARRETT.

[Paraphrase of telegram received from the American Legation at Copenhagen.]

MAY 28, 1919.

I agree fully with the military and naval attachés that the visé passports of foreigners going to United States should be continued for a very considerable period after the conclusion of peace: (A) To exclude Bolshevik and German propagandists. (B) To protect further American labor after demobilization. (C) Because control at port of entry can not be so efficient. (D) Statistics gathered by investigation of applicants here are of great value. (E) It affords unusual opportunity to inquire into many business activities which would not be possible otherwise. Furthermore, we are of opinion that the abolition of seamen control is unfortunate in that it affords comparatively easy means for undesirables to reach our shores. Whatever it may cost the Government, it is our opinion that return would far outweigh expenditure.

[Paraphrase of telegram received from the American consul, Archangel.]

MAY 29, 1919.

We are all strongly of opinion that aliens going to the United States after conclusion of peace should be required to have passports viséed. It is regarded as certain that a large number of aliens will try to enter the United States from this part of the world to spread Bolshevik propaganda. Consuls are decidedly in the best position to distinguish these from desirable emigrants or travelers.

POOLE.

[Paraphrase of telegram from consul at Christiania.]

MAY 26, 1919.

SECRETARY OF STATE,
Washington:

Military attaché, consul general, and I recommend aliens going to the United States be required to have passports viséed in order that they may be examined in their native lands, and undesirables more effectively eliminated than possible for immigration authorities in ports of United States. We regard it most important that funds for investigation be continued. The military attaché recommends that they be placed entirely in the hands of the consul general.

SCHEMEDMAN.

[Paraphrase of telegram received from the American legation, Switzerland.]

MAY 24, 1919.

Recommend that passports for aliens be strictly supervised after peace. The peril of Germans and Bolsheviks will not cease for at least a year. Vitality necessary, because of rumors of rapprochement between Germans and possible future enemies of the United States.

STOVALL.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MYERS:

A bill (S. 3272) authorizing any land-grant railroad company or its successors to convey for public-road purposes certain parts of its right of way; to the Committee on Public Lands.

By Mr. CHAMBERLAIN:

A bill (S. 3273) for the relief of Clarence Chambers; to the Committee on Claims.

By Mr. DILLINGHAM:

A bill (S. 3274) to increase the limit of cost for the construction of the United States post-office building at St. Johnsbury, Vt.; to the Committee on Public Buildings and Grounds.

By Mr. UNDERWOOD:

A bill (S. 3275) for the relief of the Greenwood Bros. Café; to the Committee on Military Affairs.

By Mr. PHELAN:

A bill (S. 3276) for the relief of J. G. Swinney; to the Committee on Claims.

By Mr. FRELINGHUYSEN:

A bill (S. 3277) granting a pension to James D. Ash; to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 3278) to insure greater safety for life and property during transportation on railroads, to make investments of money in railroads more secure and profitable, to reduce the costs of transportation on railroads, and for other purposes; to the Committee on Interstate Commerce.

A bill (S. 3279) granting an increase of pension to Albert N. Raymond; and

A bill (S. 3280) granting a pension to Robert Clark; to the Committee on Pensions.

By Mr. WALSH of Montana:

A bill (S. 3281) granting an increase of pension to Mary S. Brown (with accompanying papers); to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 3282) for the relief of Alvin Harder; to the Committee on Military Affairs.

By Mr. DIAL:

A bill (S. 3283) to make the rate of postage on all mail matter of the first class within the limits of any post-office delivery district 1 cent for each ounce or fraction thereof; to the Committee on Post Offices and Post Roads.

TREATY OF PEACE WITH GERMANY.

Mr. CALDER. Mr. President, on Friday of last week I obtained unanimous consent to have published in the RECORD an analysis of the labor provisions of the treaty with Germany. At that time I also submitted a few observations in connection with this analysis.

I have here, Mr. President, a telegram addressed to Lewis E. Pierson, of 93 Eighth Avenue, Brooklyn. With the permission of the Senate I shall read it.

NEW YORK, October 16, 1919.

Mr. LEWIS E. PIERSON,

93 Eighth Avenue, Brooklyn, N. Y.:

In this moral and political crisis the League to Enforce Peace, William Howard Taft, president, A. Lawrence Lowell, chairman, has great and necessary responsibility of leading and securing expression of public demand for prompt ratification of the peace treaty and league of nations covenant without amendments and without reservations that would require re-submission to Paris conference or separate peace with Germany. Business uncertainty and industrial unrest will continue throughout the world until ratification starts life again in normal channels. Will you join others in contributing \$1,000 toward expenses of campaign?

HERBERT HOUSTON,

Treasurer.

GEORGE WICKERSHAM,

VANCE McCORMICK,

CLEVELAND DODGE,

OSCAR STRAUS,

Finance Committee,

Bush Terminal Sales Building, New York.

Mr. President, as an evidence of just how a telegram of this character affected the gentleman to whom it was addressed—and, by the way, he is the chairman of the board of directors of one of the leading commercial banks of New York City and a prominent official of the United States Chamber of Commerce—I propose to read his answer to the telegram, dated October 20, 1919:

OCTOBER 20, 1919.

Mr. HERBERT HOUSTON,

Treasurer League to Enforce Peace,

Bush Terminal Sales Building, New York.

SIR: Responding to your circular telegram, I decline to subscribe \$1,000 for propaganda to coerce United States Senators to reach a hasty and insufficiently considered vote on the league of nations provisions of the peace treaty.

I can not believe that the people of this country, or even the membership of your league, will sanction such pressure on patriotic Senators sworn to the faithful performance of their constitutional duty, when it is realized that no debate has yet revealed the menace to the country contained in the labor provisions of the treaty.

These provisions clearly provide for an irresistible force to secure enactment into international law within 18 months by all nations in the league of every pronouncement of the labor conference created by the peace treaty.

Under the treaty the labor conference is specifically required to set up machinery for world propaganda in favor of its pronouncements, to be supported by funds contributed by all nation members of the league. The labor conference also is required to create a court of inquiry, charged with the duty of ascertaining the reasons why any nation delays in enacting the international laws the labor conference proposes.

The United States will be one out of over 40 nation members proposed for the conference, and will have 4 out of over 160 votes. With nearly every other nation in the world either committed or strongly inclined to advanced and even radical socialism openly advocating the elimination of property rights, the danger

to our institutions is obvious. It is clear that our representatives will be out-voted and our Nation, whatever its intentions, will continually be involved in domestic, as well as international, strife with radicals, even Bolsheviks, at home and abroad, just when we need and should expect peace.

It is not the ideals underlying the league of nations that are opposed, but rather the logical effects of the operations of the specific league proposed. I am confident that the Senators clearly understand that with unanimous consent required but few, if any, changes in league provisions can be secured after the treaty is ratified.

I believe that instead of coercion the Senators should receive commendation for their patriotic stand for a full opportunity for thorough study and understanding of their duty at this time.

I am forwarding a copy of your telegram and of this response to the Senators from my State.

Very truly, yours,

LEWIS E. PIERSON.

Mr. President, I commend this telegram and Mr. Pierson's answer to the careful study of the Senate.

SUGAR SUPPLY.

Mr. PHIPPS. Mr. President, I have received a telegram bearing upon the question of the sugar supply, which is short and I believe it will be of interest to Senators. Therefore I send it to the desk and request that it be read.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

NEW YORK, N. Y., October 21, 1919.

HON. LAWRENCE C. PHIPPS,
United States Senate, Washington, D. C.:

In reply to the published telegrams of Attorney General Palmer, I beg to state that the beet-sugar manufacturers are not and have never been profiteering. On the contrary, we are disposing of our sugars voluntarily as rapidly as produced at prices far less than we could command in the open market had we desired to take advantage of the present crisis in the demand for sugar. I send this after conference with the president of the American Beet Sugar Co.

HENRY T. OXNARD.

Mr. SMOOT. Mr. President, in this connection I will say that I have received a number of telegrams from the beet-sugar manufacturers of the West, and I want now to protest in the name of the beet-sugar manufacturers of the country against the Attorney General's attempt to make the people of the United States believe that the beet-sugar manufacturers of the West are profiteers. They are perfectly willing to agree with the Government of the United States on the price at which sugar shall be sold. They are not holding their sugar back as charged. In fact, the first intermountain sugar plant began manufacturing sugar on the 6th day of this month, and it will become an official of the Government, in my opinion, to attempt to make it appear that the beet-sugar industry is trying to profiteer in any way, shape, or form in the selling of its products. On the contrary, the industry is against unjust prices, even though the conditions in our country and the world would justify greatly increased prices.

Mr. KING. Mr. President, I wish to indorse what has been stated by my colleague and to supplement the statement by a few further observations.

One of the representatives of the beet-sugar manufacturers called on me some time ago and urged that everything be done possible by Congress to induce the President or some executive agency of the Government to purchase as much as possible of the Cuban sugar crop in order that the prices for sugar in the United States be brought down to the lowest possible figure. I know that that representative of the beet-sugar organization was anxious to have the Government fix as low a price as it cared to, and he said that the representatives of the beet-sugar companies would be perfectly willing to sell now, as they had been during the war, at such prices as the Government might deem necessary for the public welfare.

SOCIALISTIC ACTIVITIES.

Mr. KENYON. Mr. President, a few days ago the second gas bomb in the attack of the packers was exploded on the floor of the Senate, and a number of gentlemen were accused of being socialists and reds. I think a resolution was at that time submitted which provided for investigation. I hope that an investigation may be made and made speedily. Some of these gentlemen have no chance to reply to the attacks made upon them on this floor at the instigation, I believe, of the packers. Mr. Basil Manly, one of the gentlemen attacked, has written me a letter concerning it, and I think it is fair that the letter should be read to the Senate. No man has done more patriotic work in this war than Mr. Manly.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

THE SCRIPPS ECONOMIC BUREAU,
Washington, D. C., October 21, 1919.

HON. WILLIAM S. KENYON,
United States Senate, Washington, D. C.

MY DEAR SENATOR KENYON: I have just seen in this morning's papers the account of Senator Watson's attack upon the so-called reds in the Federal Trade Commission.

This is, of course, nothing more nor less than an attempt to block the passage of the Kenyon bill for limiting the predatory activities of the packers.

If Senator Watson is as inaccurate in his statements in reference to others as he is in his detailed account of my alleged activities, he is grossly misinformed.

I never attended a meeting of the Fabian Club, either during my connection with the investigation of the packers or at any other time. During my employment with the Federal Trade Commission Stuart Chase was in the employ of the Food Administration, and I was only in his office on two occasions, both of which were on important business for the Federal Trade Commission.

During my work in Chicago as an investigator for the Federal Trade Commission I attended only one meeting, in company with Francis J. Heney and one or two others, which I recall very distinctly was a huge patriotic mass meeting under the auspices of the National Security League in the interest of the Liberty loan.

I am not a socialist and have never been a member of any socialist organization. It is true that for many years I have been engaged in exposing what I considered to be wrongs against the public interest, and have thus incurred the enmity of certain very powerful interests. However, I do not yield to Senator Watson or to anyone else in my desire to preserve this Nation as a democracy of, by, and for the people for the purposes set forth in the Declaration of Independence and proclaimed in the Constitution.

Yours, very sincerely,

BASIL MANLY.

LONGSHOREMEN'S STRIKE IN NEW YORK.

Mr. SHERMAN. Mr. President, on my own responsibility, I present a letter from a gentleman in New York City, in relation to a member of the conciliation commission to settle the longshoremen's strike in New York and vicinity. I ask that the letter be read.

The VICE PRESIDENT. Is there objection? There being no objection, the Secretary will read as requested.

The Secretary read as follows:

NEW YORK, October 20, 1919.

SENATOR LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.

DEAR SENATOR: As you possibly may know, all shipping in the port of New York is now tied up by a strike of the longshoremen and freight handlers, so that thousands of tons of perishable food are spoiling on the wharves, to say nothing of immense quantities of merchandise ready for shipment to foreign and domestic ports.

Secretary of Labor Wilson has just appointed a conciliation commission of three members to try to settle this strike, and one of these members is a man named F. Paul Vaccarelli, about whom I wish to give you the following information:

Vaccarelli, under the name of Paul Kelley, has been known for several years in this city as a leader of a notorious gang of thieves and thugs, and if you will take the trouble to ask Mr. William E. Flynn, now of the Department of Justice Secret Service, and at one time a deputy police commissioner of New York City, you will find that Paul Kelley has a most elaborate and unsavory police record, including, I think, charges in which he has been more or less implicated in almost every known crime, including murder.

This Paul Kelley gang hung out for years in the notorious Mandarin Club, on Doyers Street, in the Chinese district of this city, only a short distance from Third Avenue, where murders, robberies, and other crimes were openly planned and freely discussed with any visitors who were properly introduced.

Vaccarelli's gang were largely used by Tammany politicians in terrorizing their opponents in certain districts, especially about election time, which probably is the reason why he is not in the penitentiary at the present time.

Mayor Mitchel, now dead, who preceded the present Mayor Hylan, through the police department, practically broke up this Paul Kelley gang, who thereupon removed to a saloon on the corner of Forty-third Street and Seventh Avenue, of this city,

only a block away from the Hotel Astor, where they were apparently under police protection.

Vaccarelli was the adviser and confidant of his gang, sharing in their plunder and aiding them to get out of their scrapes by giving bail and securing the services of pliant attorneys, who appeared for them in court when arrested. Later he became connected with the Longshoremen's Union, which embraced the roustabouts and freight handlers on the water front, comprising about as tough and lawless body of men as can be found in this great city. He became an officer of this union, and as such politically useful to Tammany Hall even more than before. Unless I am very much mistaken, I think there are several untried indictments against Vaccarelli still pigeonholed in the New York City district attorney's office here, which is now controlled by Tammany influences.

It is an outrage on all decent people for a thug and gangster like Vaccarelli, who is responsible for many murders, robberies, and assaults upon innocent people, to be thus selected and honored by the United States Secretary of Labor. Can you beat it?

Yours, very truly,

WM. HALL ALLEN.

P. S.—The inclosed clippings from to-day's New York Times, page 1, may interest you in this connection.

Mr. SHERMAN. I send to the desk and ask to have printed without reading the news dispatch referred to in the letter.

The VICE PRESIDENT. Without objection, it is so ordered. The dispatch is as follows:

[From the New York Times, Oct. 20, 1919.]

"The conciliation commission appointed on Saturday night by Secretary of Labor William B. Wilson to try to settle the longshoremen's strike got down to work early yesterday morning.

"COMMISSION MEETS TO-DAY.

"The first meeting of the full commission will be held at 10 o'clock this morning at the mayor's office, F. Paul Vaccarelli, the third member, being absent from the hearing yesterday. He said last night that he had not been officially notified of his appointment in time for the session yesterday.

"Replying to the attacks made upon him by T. V. O'Connor and Joseph Ryan, president and vice president, respectively, of the International Longshoremen's Association, and John F. Riley, strike chairman, who have protested his appointment on the commission, Mr. Vaccarelli said that the indorsement of these officials of the association would be considered a liability, and the strikers would show no more confidence in him than they have in the efforts of the officials to get them back to work.

"Speakers at the hearing yesterday protested against Mr. Vaccarelli as a member of the commission. He is president of the Harbor Boatmen's Union, and was formerly an official of the International Longshoremen's Association. When the strike was first called he was accused of having a hand in it, but he made emphatic denial of any connection with the longshoremen."

THE IRISH QUESTION.

Mr. PHELAN. Mr. President, I ask permission by unanimous consent to have printed in the RECORD a letter from Michael J. O'Brien, the historiographer of the American Irish Historical Society of New York in answer to the Senator from Mississippi [Mr. WILLIAMS].

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE AMERICAN IRISH HISTORICAL SOCIETY,
New York City.

HON. JOHN SHARP WILLIAMS,
United States Senator from Mississippi,
Washington, D. C.

DEAR SIR: If the reports of your speech in the Senate in this morning's papers are correct, it is clear that you are entirely without knowledge of the facts of your subject, and it is for the purpose of informing you of a few of those facts that I am writing you this letter.

I regret to learn that you have received "threatening letters" because of your attitude on the question of Ireland, and that you assume they came from Irish sources. Most people will be surprised at this, since it is not in the Celtic nature thus to threaten an honorable opponent, however ignorant of his facts or however ungenerous he himself may be, and I can assure you with perfect confidence that if any Irishmen are responsible for such threats they do not represent genuine Irish feeling. But, doubtless you have heard before of "the devil dress-

ing himself in the livery of heaven" so as to strike his opponents in the dark, and I recommend for your consideration the probability that these anonymous letters originated with an entirely different source than that to which you have attributed them.

The burden of your speech is upon what the Irish did or did not do in the Revolutionary War. You profess to believe they had no part in that struggle; that there were so very few Irish in this country at the time that their cooperation was utterly negligible. As one who has given many years of research to this subject, I am willing to admit that heretofore there has been much doubt and confusion as to the actual facts, and I admit also that some exaggerations have been indulged in by Irishmen whose enthusiasm was greater than their knowledge of the facts.

But let me tell you, sir, that there is no longer room for doubt on this subject, and in order that you may satisfy yourself on that point I am sending you a copy of a recent publication entitled "A Hidden Phase of American History." Almost without exception the critics agree that this book is a fair and impartial study of the case, and you will not find one statement within its covers where the authority is not fully shown. It stands as a challenge to every opponent of the principle that America is much indebted to Ireland; and, furthermore, you will find absolute proof in this book that America owes more to Ireland for the part played by her sons in the struggle for our independence than she does to any other country on earth.

In your opinion, statements such as this are only "part of the braggart nature of the Irish," who are "always contending that they have done everything, everywhere, at every time." I have never known, and I am certain no living person has ever known, that the Irish have made any such ridiculous contentions. * * *

Since you regard as incredulous anything that the Irish may say on this matter, suppose we cast aside every statement on the subject from an Irish source and find out what our enemies at the time of the Revolution had to say on the subject. Doubtless you regard English opinion worthy of credence, and it is English testimony I shall quote here.

(1) Let us first put on the witness stand the most competent of all English witnesses of the time, no less a person than Gen. Sir Henry Clinton, commander in chief of the English armies in America. On the 8th of March, 1778, Lord George Germain, secretary of war, wrote Clinton, directing him "to draw off from the American Army the number of Europeans which constituted its principal force." On the 23d of October, 1778, Clinton replied to this letter, relating the difficulties of carrying out these instructions, and in referring to the Continental Army Clinton said: "The emigrants from Ireland are, in general, to be looked upon as our most serious antagonists." This document is in the English archives at the public record office in London, and, as I have no doubt you have sufficient influence with "the powers that be" to secure a copy, I suggest that you send for it, since it is a rare historical document. But, as you may not wish to go to that trouble, I am sending you a photographic reproduction of the page from Clinton's letter in which this remarkable statement appears.

(2) Let us consult the testimony of Ambrose Serle, confidential agent of the British cabinet, who was sent to this country in 1776 by Lord Dartmouth, secretary of state, with instructions to determine and report upon "the strength, character, and personnel of the Rebel Army." Serle's letters to Lord Dartmouth indicate that he was an astute and observant official, and one in whose statements perfect reliance could be placed. In his very first letter to the home government, dated New York, September 25, 1776, Serle said: "Great numbers of emigrants, particularly Irish, are in the Rebel Army * * * and here they do Great Britain much injury by bringing over numbers and trades, and so adding strength, already too great, to the force of America against her." This document is among the records in the Tower of London, and, so as to save you the trouble of sending some one to that unsavory place to secure a copy, I am also sending you a photograph of Serle's written statement.

(3) You impugn as unworthy of consideration the statements of Galloway and Robertson that "one-half the Revolutionary troops were Irish." You do this in such a way as to make it clear that you believe no such testimony was ever given, and it is evidently your intention to create the impression throughout the country that this assertion emanates solely from "the braggart nature of the Irish." Now, while I myself believe that this estimate was exaggerated, I will prove to you that the testimony was actually given * * *. This testimony was given under oath before a committee of the lords and commons

In the year 1779; Galloway's statement was printed in the Royal Gazette of October 17, 1779, and Robertson's in the Parliamentary Register, or Proceedings of the House of Commons, and you will find photographs of both statements in *A Hidden Phase of American History*, at pages 78 and 90, respectively. In face of this you will no longer dare to assert, will you, Senator WILLIAMS, that this testimony was never given?

But as to what weight should be given to this testimony there may be some doubt. I have tried to verify it, but without success. I examined every available muster roll of the Revolutionary Army; I took down the total number of men and the number of Irish in each and every unit, and on the most careful and conservative computation, and casting aside all predilections in favor of the Irish, I found that at least 38 per cent of the American Army of Liberty were of Irish birth or of Irish descent. You can see for yourself how this proportion was arrived at, if you care to trouble yourself about the facts.

You say "there were 10 Irishmen in the British Army to every one in the American Revolutionary Army." That, sir, is an absolutely false assertion, and you have no warrant or authority whatever for it, since not even the worst enemy of the Irish has ever dared to make such a statement. It is perfectly true there were Irishmen in the British Army, as unfortunately there have been at all times, but that you may know with what reluctance these men fought against the colonists, I quote from the Pennsylvania Packet of November 27, 1775, a letter from Cork, Ireland, detailing the failure of the recruiting officers to fill up the regiments destined for the American service: "Many of the drafts that have come here to fill up the regiments ordered abroad swear they will never draw a trigger against the Americans, amongst whom they all have relations." The same writer prophesied wholesale desertions of Irish soldiers from the British regiments, and I have found abundant evidence to show that the Irish soldiers took every opportunity of "deserting to the rebels." See *Force's American Archives* (4th series, vol. 3), the *New York Historical Society Collections* for 1875, and the *Royal Gazette* for October 18, 1780.

Another of your statements is that "two-thirds of the Irish in America (in Revolutionary times) were Scotch-Irish and English-Irish from Ulster." That is another falsehood, as is amply proven by the records quoted in *A Hidden Phase of American History*. If it were so, how do you account for the preponderance of Irish names on the muster rolls, over and above those of supposed Scotch and English origin? How do you account for the great number of Revolutionary soldiers bearing the oldest names known to Irish family nomenclature? Let me illustrate by a few of these names and the number of Revolutionary soldiers of each name whom I have found on the rolls: Kelly, 695; Murphy, 494; Connor, O'Connor, 327; McCarthy, 331; Ryan, 332; Reilly, 286; Sullivan, 266; Dougherty, 248; Connolly, 243; Burke, 221; O'Brien, 230; O'Neill, 178; Fitzgerald, 184; Donnelly, 155.

Of 100 surnames of as ancient Irish origin as these, I have counted on the rolls a total of 12,293, and when the fact is considered that numerous other Irish names are represented on the rolls, I leave it to your own imagination to conclude what a gross injustice you have done to the Irish who fought and bled that this country of ours may be freed from foreign yoke.

I call your particular attention to the list of officers of Irish blood in the Revolutionary Army and Navy—nearly 1,500 in all—and to the further fact that Washington selected as his personal secretaries and aides such men as Reed and Carey, sons of Irish immigrants, and Moylan, McHenry, and Fitzgerald, natives of Ireland. Were these men, as well as Sullivan and Barry, O'Brien and Butler, and the many other trusted officers of the patriot army and navy your "Scotch-Irish" and "English-Irish"?

From *A Hidden Phase of American History* you may acquaint yourself with these and a thousand other facts concerning the Irish in the Revolution, and after you have read the book I assume you will not be unwilling to make the amende honorable and retract your previous statement. By your intemperate utterances as a public man, you have grievously injured the finest feelings of millions of people who have stood by their country in all the wars in which America has been engaged, and since even the commander of the English armies admitted that "the Irish emigrants" who enlisted in the "rebel" forces were his "most serious antagonists," surely it will not be incompatible with the dignity of even a Senator of the United States to admit that he was wrong.

Very respectfully,

MICHAEL J. O'BRIEN.

HOUSE BILL REFERRED.

H. R. 9783. An act to provide a national budget system and an independent audit of Government accounts, and for other purposes, was read twice by its title.

The VICE PRESIDENT. As the Senate has appointed a special committee to devise a plan for a budget system, the bill will be referred to that committee.

SOCIALISTIC ACTIVITIES—FEDERAL TRADE COMMISSION.

Mr. HARRIS. Mr. President, I ask unanimous consent that I may make a brief statement relative to the resolution introduced on the 20th instant by the Senator from Indiana [Mr. WATSON] and referred to in the letter sent to the desk by the Senator from Iowa [Mr. KENYON].

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. Mr. President, we on this side of the Chamber could not hear the request of the Senator from Georgia.

The VICE PRESIDENT. The Senator from Georgia asks unanimous consent to make a brief statement touching the remarks of the Senator from Indiana [Mr. WATSON] on the subject of "red" activities in the Federal Trade Commission. Is there objection? The Chair hears none, and the Senator from Georgia will proceed.

Mr. HARRIS. Mr. President, I shall heartily support the resolution of the Senator from Indiana [Mr. WATSON] to investigate charges against employees of the Federal Trade Commission. I do more than that; I urge that it be reported without delay. The speech of the Senator, in my judgment, will do more harm to efforts to reduce the high cost of living than anything that has occurred since I have been a Member of the Senate. The Federal Trade Commission has made known certain facts in regard to the methods of the five meat packers which are being considered by the Senate Agricultural Committee. The facts can not be contradicted, and an attack on a few minor employees will not deceive the public or prevent the consideration of these facts on their merit.

Mr. President, I was appointed by the President as a member of the Federal Trade Commission when it was first organized. The commission took over all employees of the old Bureau of Corporations, which was a part of the Department of Commerce, and was organized, I think, by Mr. Frank Hitchcock, then Assistant Secretary of Commerce, who was afterwards chairman of the Republican National Committee and Postmaster General. Most of these employees are still there; they were placed under the civil service, and nearly all are Republicans. Mr. Walter Durand, one of the economists who was condemned by the Senator, is a brother of Mr. E. Dana Durand, former Director of the Census, and before that connected with the Bureau of Corporations. Mr. Dana Durand was employed by the packers while his brother was engaged in this investigation.

I do not remember the other employees of the commission referred to by the Senator. The administrative part of the commission, under a resolution which I offered while a member, was placed entirely under the secretary of the body, and the commissioners did not come in contact with the minor employees. I did not know their views; but if the charges of the Senator from Indiana are true, they should be discharged at once, not only in the commission, but in all other Government agencies.

When the investigation of the packers began, Mr. Edward N. Hurley was chairman. He was afterwards chairman of the United States Shipping Board, and did as much as any man in this country to help win the war. I have never known an abler man or one who was more anxious to do constructive work for the benefit of the people of this country. Mr. Hurley has made a great success in business. The Federal Trade Commission is composed at present of former Gov. Fort, of New Jersey; Mr. William B. Colver, of Minnesota; Mr. Victor Murdock, of Kansas; and Mr. Houston Thompson, of Colorado. I served with the first three members for several months, and while we did not agree at all times on all matters, I found them to be conscientious and able men, with only one thing in view—to serve their country. Gov. Fort, a Republican, had been governor of his State and a member of the supreme court of New Jersey. Mr. Colver is a very able man, and whatever else may be said of him, no one charges that he is not the friend of the consuming public. Mr. Murdock was for many years in Congress, a leading Republican and Progressive—a man who has the confidence and respect of everyone who knows him. Mr. Houston Thompson had been Assistant Attorney General, where he rendered most able service. He has been a Republican in politics, but, I understand, voted for President Wilson. There is no politics in the commission, so far as I know. The commission's

work in cost accounting during the war saved this country hundreds of millions of dollars in Government purchases. The chief economist is Dr. Francis Walker, a son of Gen. Walker, of Massachusetts, who was Director of the Census Bureau just after the Civil War and a man of ability and character. Mr. Roberson, who, with Dr. Walker, planned the investigation of the meat packers, was with the old Bureau of Corporations through several Republican administrations. He is a man of ability and is one of the most useful men I have met in the Government service. The administrative office of the commission during my service there was in the entire charge of Mr. Leonidas Brackens, who is from the Senator's own State. He had full charge of the employees and directed investigations. He is a man of ability, education, and integrity. There may be a few exceptions; but, taking them as a whole, there are no more efficient or honorable employees in this Government than those of the Federal Trade Commission.

There are very few employees of the commission from my section of the country and there is no commissioner from the South.

Mr. President, I have been greatly surprised at statements made on the floor of the Senate about efficient and honorable employees of the Government who can not defend themselves. I am glad to say that the first statement I made in the Senate was in the defense of the members of the Tariff Commission, with whom I had been officially associated. I knew them to be honorable, upright, and able men. The men I defended were Republicans, but my association with them and the Government agencies with which they were connected convinced me that a great injustice had been done them. For my part, I think the injury done to the man who is stabbed in the dark is no greater than the injury inflicted upon the character of efficient public employees by charges in Congress which investigation beforehand would show to be groundless. I shall always be guarded in my remarks in criticizing public officials.

Lawyers, when they have a poor case and can not controvert the facts, resort to denouncing and ridiculing the attorney and plaintiff on the other side, and the Senator's effort to discredit the Federal Trade Commission will hinder but will not deter those who are trying to bring some constructive legislation that will protect the consuming public. The combination of the meat packers is doing more to prevent the reduction of the high cost of living than any other monopoly in this country. They are spending millions in lobbying, advertising, and in other directions in their propaganda to prevent legislation that will curb their power. If they would reduce their profits and give the people the benefit of the millions they are spending in this way, there would be no necessity for such legislation; but they have resorted to the plan which wrought havoc to the railroads by trying to defy the Government and prevent needed legislation through lobbying and paid advertisements. In some papers the press report giving facts about the packers' methods is placed underneath the criticism and attacks of the five packers on the Federal Trade Commission and its members. The Federal Trade Commission stands between the consuming public and the monopolies of this country. If you discredit the commission by charges against its employees and the commissioners or otherwise, it will do more to perpetuate the monopolies and continue the high cost of living than anything that can be done.

Mr. President, there has never been a lobby in this country so powerful as that of the packers. One of the greatest lobbies ever before Congress was when the packers were powerful enough to secure legislation allowing them to control their private cars, which, like the pipe lines of the Standard Oil companies, enabled them more than any other thing to prevent competition and perpetuate monopoly. The packers have not only hired agents but they are spending millions of dollars in advertising and other ways in trying to influence the public. Their lobby to prevent the passage of the Borland resolution to investigate the packers has never been surpassed. The packers have tried to employ men who had influence with Members of Congress or the Government agencies. They have not stopped at anything in their propaganda. They have sent their employees to cities and towns and by distorting the facts have had resolutions passed by civic bodies and other organizations. They have forged telegrams that were never signed. The organization of the packers is so great and the combination so complete that they can put out of business any wholesale or retail grocer in any part of the country. There is no individual in the State of Indiana or in the country whose living expenses are not made higher by reason of the monopoly of the packers. The prices of all of the hogs and cattle raised by the farmers in Indiana and the entire country are fixed by this combination of packers.

If the Senator from Indiana does not know, many others do, that the packers are good friends when it comes to contributions for campaign funds, but enemies of the public when it comes to reducing the cost of living.

Mr. President, I think every man who is writing or speaking against our form of government should be sent out of this country, and for my part I am opposed to any immigration into this country for some time because of the large foreign element in sections of the United States who do not understand our form of government. I favor the deportation of all Bolsheviks, anarchists, and such people, and I am proud to say that in my section we have none of that class. I regret that they are such a menace to other sections of our country.

I agree with all the Senator has said about Bolsheviks, anarchists, and socialists, and I shall join him in every effort to get rid of such people in the Government service and the country. However, if the Senator discredits the Federal Trade Commission, destroys its usefulness, and the legislation to regulate the packers is defeated, then I fear the Senator will have aided the cause of socialism and Bolshevism a thousand times more than all the Government employees he has mentioned. But I hope that while we are ridding the Government of this undesirable class the distinguished Senator from Indiana will join with other Senators who are trying to enact constructive legislation to regulate the packers, prevent them from continuing to make the cost of living high, help defeat the object of their campaign to discredit this legislation, and protect the people from this monopoly.

The Senator began his remarks by saying, "What I say in support of this legislation is in no wise a defense of the packers." The packers are now spending millions of dollars to discredit and destroy the Federal Trade Commission, but none of their efforts have been as effective as those of the Senator from Indiana. If the Senator can discredit the commission in this investigation he has accomplished more for the packers than they could for themselves with all of their millions spent in lobbying and propaganda. He will also advance the aims of Bolshevism and socialism if he causes the people of our country to lose confidence in their public officials.

Mr. WATSON. Mr. President, I have been very much interested in the remarks of the Senator from Georgia. The speech that he has delivered is in the nature of confession and avoidance. He has said that he is in favor of the adoption of the resolution introduced on Monday.

Mr. HARRIS. Mr. President, I am in favor of the resolution, because an investigation of the employees of the Federal Trade Commission will show that they are faithful, honorable, and patriotic employees of this Government, with perhaps a few exceptions.

Mr. WATSON. The Senator reiterates, Mr. President, that he is in favor of the resolution, and therefore he and I are together on that fundamental proposition. The statement I made had no reference whatever to the Federal Trade Commission as such. I distinctly stated that I was not seeking by this resolution at this time to involve the members of the Federal Trade Commission as such. As to what may develop in the course of an investigation I do not know; but I did state on my responsibility as a Senator that I had carefully investigated the matter to which I referred in my remarks and that I had every reason to believe, after a faithful investigation, that the charges I made were true. All I ask is an investigation in order to prove the truthfulness of these propositions.

Mr. KENYON. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. WATSON. I yield.

Mr. KENYON. I should like to ask the Senator if he personally investigated the charges which he made against Mr. Basil Manly, and if he has heard the letter of Mr. Basil Manly read this morning?

Mr. WATSON. I heard a part of the letter of Mr. Manly read.

Mr. KENYON. Does the Senator say that he personally investigated the charges against Mr. Manly before he made his speech?

Mr. WATSON. I do.

Mr. KENYON. And that the charges are correct?

Mr. WATSON. Yes.

Mr. KENYON. Would the Senator object to giving us the sources of his information as to Mr. Manly?

Mr. WATSON. When that committee meets I will give the source of my information.

Mr. KENYON. Will the Senator say that those sources of information did not come from the packers or their representatives in this city or anywhere else?

Mr. WATSON. I say that they did not. I do not know a packer, one of the big five; I never met one.

Mr. KENYON. Did the Senator meet any of their lobby in the city of Washington before he prepared his speech?

Mr. WATSON. I did not. I have had communication with but one man in any wise connected with the big packers.

Mr. KENYON. Will the Senator say that none of his information as to these men came from the representatives of the packers?

Mr. WATSON. I say that.

Mr. KENYON. It did not?

Mr. WATSON. It did not. In other words, my information about the Federal Trade Commission came from the inside of the Federal Trade Commission itself. That is where I got it, and after I got it I hunted out one man in this town and asked him whether or not he had information along the same line.

Mr. KENYON. Mr. President, does the Senator then charge that the refutation of Mr. Manly—who had no chance to reply to the attack except by this letter—is untrue?

Mr. WATSON. I will say to the Senator from Iowa that I did not hear all the letter read because I was interrupted, but the part I heard I think I can disprove. In other words, I want to say to the Senator from Iowa that if we have this investigation for which I have asked I expect to substantiate every statement I made with reference to these men and their socialistic activities.

Mr. KENYON. The Senator has heard no opposition to the resolution, has he?

Mr. WATSON. No; not that I know of.

Mr. KENYON. Everyone favors it. Where is the resolution now? Why is it not presented and passed?

Mr. WATSON. It is before the Committee to Audit and Control the Contingent Expenses of the Senate; and the Senator from New York [Mr. CALDER], who is the chairman of that committee, has been absent until this morning, and I had no opportunity to take up the matter with him.

Mr. KENYON. Does the Senator expect the resolution to be reported out of that committee?

Mr. WATSON. Yes.

Mr. KENYON. If it can be reported out now, it can be passed. There is no one opposed to it that I know of.

Mr. WATSON. The only point about it is that it is necessary for the committee to make an estimate of the cost, and then it must be brought into the Senate. The committee has not met for that purpose.

Mr. CALDER. Mr. President, our committee having been brought into this matter, I may say that we have not had a meeting. I have not read the resolution. I have no knowledge of it except what I have seen in the newspapers and what has been said this morning. We will have a meeting in due time and pass upon it, and undoubtedly will report it.

Mr. WATSON. I called the attention of the Senator from New York this morning to the resolution when I learned that he had returned.

Mr. CALDER. Mr. President, I might add that the Senator from Indiana called on me this morning and said that it was his purpose to bring the resolution to my attention further during the day and ask for consideration of it.

Mr. WATSON. Now, Mr. President, all I want to say is this: This thing can not be thrashed out on the floor of the Senate. It can be determined by the members of the Interstate Commerce Committee if this resolution is passed, and all I want is the opportunity to prove the truthfulness of my assertions.

My friend the Senator from Georgia has made two statements that are wide apart from the issue involved. The first is a defense of the Federal Trade Commission, which has not been assailed. The second is the charge—

Mr. HARRIS. Mr. President, I should like to say to the Senator that the Associated Press carried his entire speech, and the headlines in the papers that I have seen from the South all refer to the attack made on the Federal Trade Commission and its employees.

Mr. WATSON. I am not responsible for what any press report carries. My speech speaks for itself, and my charge was directed against the employees of the Federal Trade Commission during the time they were occupied in investigating the packers in the city of Chicago. Now, I want to ask my friend from Iowa a question. I want to ask him whether or not he denies the socialistic activities of these gentlemen whose names I gave?

Mr. KENYON. Mr. President, I have said nothing about anyone except Mr. Manly. I do not know the other men. If they are guilty of the things the Senator claims—that is, that they are "reds"—they should be fired out of the commission just as quickly as they can be fired.

Mr. WATSON. Precisely.

Mr. KENYON. I am with the Senator on that. I want to know, however, whether that is the real purpose of the resolution, or whether the purpose is to injure the bills that are pending here for the control of the packers?

Mr. WATSON. Mr. President, I distinctly stated, and I reiterate, that I have no desire in the world to interfere with the investigation that is being conducted by the committee of which the Senator from Iowa is chairman.

Mr. KENYON. No; the Senator is entirely mistaken about that. I am not the chairman of it. That matter is before the Committee on Agriculture and Forestry.

Mr. WATSON. Before the Committee on Agriculture and Forestry; yes. I have not read one line of that testimony.

Mr. KENYON. But is it not a little strange, when these gentlemen have been employed there for years, that this question has never been raised until we get to the consideration of the packers' bill? That is what arouses a person's curiosity as to these attacks.

Mr. WATSON. Mr. President, for many weeks I have been investigating the activities of socialists in the departments in Washington, not only in this department but in other departments; and I will say to the Senator that I propose from time to time to bring up these other departments, and to give the names of men who are employed, and to give the socialistic activities of these other men.

Mr. KENYON. Mr. President, I hope the Senator will do it at the earliest possible moment, and he will find a most cordial cooperation among the Members of this body; but how does it happen that at this time, when we are considering the packers' bill, we simply get this one, which the Senator must realize would have a very bad effect upon the consideration of that bill? It would discredit the report of the Federal Trade Commission. The Federal Trade Commission never was attacked until it had the nerve and the courage to tell the American people some of the facts about the Packing Trust.

Mr. WATSON. Mr. President, if the Federal Trade Commission has told the country the facts, those facts are not going to be overturned by the character of the men who made the investigation.

Mr. PENROSE. Mr. President, will the Senator permit me to interrupt him?

Mr. WATSON. Yes.

Mr. PENROSE. The Senator from Iowa says the Federal Trade Commission never was attacked until the packers' legislation came along. I can hardly let that statement pass without challenge. I have been overwhelmed for several years with complaints from business men concerning the Federal Trade Commission for its inefficiency, incompetence, and inability to discharge the public business. It is notoriously so.

Mr. KENYON. I think that correction is well taken as to my remarks. I should have said it never was attacked as to its socialistic or "red" tendencies.

Mr. PENROSE. I have hardly heard an epithet of condemnation in the English language that has not been visited upon every individual member of the Federal Trade Commission.

Mr. KENYON. Well, I suspect that is no more true than it is of the condemnation that is visited upon Members of Congress and Members of the Senate.

Mr. PENROSE. That may be.

Mr. KENYON. But I say they never have been charged with being disloyal and socialistic and anarchistic in their tendencies, except possibly by some big business concerns that they might be investigating.

Mr. PENROSE. I am glad the Senator from Iowa concedes, then, that this is not the only time the Federal Trade Commission has been attacked.

Mr. KENYON. Does the Senator say they have been attacked before as socialistic and anarchistic?

Mr. PENROSE. I have heard almost every epithet, charge, and designation, mostly unfit to print, applied to the Federal Trade Commission.

Mr. KENYON. The Senator has heard things that I have not, then. He has had information that I have not.

Mr. THOMAS. Mr. President, I have heard a good many hard things and a great many epithets regarding the senior Senator from Pennsylvania, but I have not given them any credit.

Mr. PENROSE. Mr. President, that may be. In the rough and tumble of party politics we hear those things; but here is a semijudicial body that is absolutely condemned—I know of no exception—by the business men who have been unfortunate enough to come before it for its incompetence and its inability to discharge any function that I have been able to ascertain.

Mr. HARRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. WATSON. I yield to the Senator from Georgia.

Mr. HARRIS. I am familiar with some of the investigations made, and I recall that from the Senator's State, the State of Pennsylvania, a number of business men were before the Trade Commission, and about 200 in that section of the East, some from Pennsylvania, plead guilty to the complaints made against them. I will cite an instance to show the work the Trade Commission is doing, and of course they will always be abused by big business that is not trying to do a legitimate business.

There was a man in San Francisco selling poles. The Western Electric Co. was a competitor. He did not know that. They not only destroyed his business but they actually bought the business of this poor man—everything in the world he had. The Federal Trade Commission investigated it, and the General Electric Co. paid this man \$30,000, I believe, and gave him back his property, when the Trade Commission investigation showed what had been done.

Men like this, Mr. President, will always be denouncing the Federal Trade Commission. Men who believe that big business should do as they please, and not let little business get along and get a start, just as they did, will always be denouncing the Federal Trade Commission. If the Senator from Pennsylvania will remember the men who denounced the Federal Trade Commission, and will give a list of them to the Federal Trade Commission, he will probably find that they have been investigated by the commission for unfair practices in commerce.

Mr. WATSON. The statement the Senator makes is wide of the mark so far as the purpose of this resolution is concerned.

This resolution charges that certain men employed by the Federal Trade Commission are socialists, that some of them are anarchists, and the question that I want investigated is whether or not that is true. If that be true, both Senators say that these men should be ousted from their present positions. The question as to whether the packers are guilty or not guilty has not a thing in the world to do with the question involved. All agree that if my resolution charges the truth, these men should be ousted from their present positions. All I want is an investigation, and then, if I do not show the truthfulness of every charge I have made, I will honorably say so on the floor of this body. My information is entirely reliable and entirely trustworthy, and I propose, if this investigation is ordered, to prove the truthfulness of the charges I have made. If I do that to the satisfaction of my friend from Iowa [Mr. KENYON] and the Senator from Georgia [Mr. HARRIS] I have no doubt that both of them will agree that these men, and all of like character, should be ousted from public position in this and every other department of the Government service. That is the only object I have in view.

Now, I want to make response to one statement made by the Senator from Georgia. I know that he did not mean it in a personal way, but I do not think I should permit it to pass without being noticed. He says that if the Senator from Indiana does not know, other Senators know, and other people know, that the packers are large contributors to campaign funds. Mr. President, no packer ever contributed one dollar to any campaign fund of which I have any knowledge. If the packers ever gave one dollar to anyone for political purposes in the State of Indiana I do not know it. Certainly, if the Senator had any reference to me personally, I would repel it as an outrage.

Mr. HARRIS. I want to state to the Senator that I had no reference to him personally; I have the very highest regard for him; but I state, and I state with a knowledge of the facts, that they have contributed largely to campaign funds, and it is generally known by men in public life.

Mr. PENROSE. Mr. President, will the Senator from Indiana permit me on that point?

Mr. WATSON. Certainly.

Mr. PENROSE. I am a little astonished at this disclosure of sensitiveness on campaign contributions. There is not a prominent man connected with the present administration, in a position of authority, who did not get his original recognition by reason of the size of his campaign contributions to the Democratic Party—every ambassador, every man connected with the peace conference in Paris; I do not want to mention names, but notorious Wall Street gamblers; men regardless of how they made their money as long as they were lavish enough to the Democratic Party. I am surprised that the Senator develops this fine sensitiveness about campaign contributions at this late date. [Laughter in the galleries.]

The VICE PRESIDENT. The occupants of the galleries are paying no attention to the rules of the Senate, and the doorkeepers are paying no attention to the orders of the Senate.

Mr. HARRIS. I am sorry the Senators are so sensitive about campaign contributions. I want to say to the Senator that I had no reference to them or to the Republican Party or any other party. The packers are interested in legislation and are spending fabulous sums in a propaganda to defeat legislation at this time. They do not care any more about one party than they do another. I had no reference whatever to the Republican Party or to any party.

Mr. PENROSE. Mr. President, I have no doubt that certain groups of the packers have been very liberal to the Democratic Party.

Mr. HARRIS. I do not know about that, Mr. President. The Senator is higher up in the party council than I am.

Mr. PENROSE. The Senator seemed so familiar with the other facts that I supposed he was an expert on the subject of campaign contributions.

Mr. WATSON. Mr. President, the other proposition involved is that several of these employees, as stated by the Senator from Georgia [Mr. HARRIS], are Republicans. I know nothing about that. If the Republican Party has within its fold men of the character of those I described the other day, and those men are Republicans, then I am not a Republican. If I had my way about it no man who believes in the things that those men believe in and have practiced and worked for should ever be recognized in the councils of the Republican Party. Certainly the Republicanism in which I believe, and in which I have believed and for which I have labored all my life, is not that kind of Republicanism, because the Republican Party has never believed in any of these socialistic ideas, but on the contrary has always believed in constitutional government, representative in character, with the right of individual initiative and individual endeavor, and with the right of ownership and use and enjoyment of private property.

Mr. KENYON. I did not have the pleasure of hearing the Senator's speech, nor have I yet had time to read it. But I understood the Senator had described these men not only as socialists but virtually as anarchists and as attending meetings of the "reds."

Mr. WATSON. Yes, sir.

Mr. KENYON. That is what I mean when I say that if the Senator proves that they should be expelled at once from Government service. But the Senator now says that if he should show they were socialists they ought to be at once expelled. Does the Senator mean that no socialist should be in any way employed by the Government? I do not want to go to that extent.

Mr. WATSON. Mr. President, if I were to enter here upon a dissertation on the subject of socialism, it would take me two hours to give my views upon that subject.

Mr. KENYON. The Senator said he believed they should be expelled. I go to the point of agreeing with that view if the Senator shows they are "reds" and anarchists.

Mr. WATSON. That is what I will prove.

Mr. KENYON. But I do not want to go to the extent of saying that they should be expelled if they might happen to be socialists.

Mr. WATSON. There are at least 49 varieties of socialism; 57 varieties, my friend from Colorado [Mr. THOMAS] suggests. Of course, Mr. President, I would not go to the extent of saying that every man who entertained any of the mild views that some socialists entertain should be kept from public position. But I do mean that I do not believe that men who believe in the fundamental principles of socialism—and fundamentally socialism and Bolshevism are the same, as I could prove beyond a doubt if I cared to go into it—men of that stamp of character who are opposed to all government, ought to be permitted to work for any government. I do not believe that the men who believe that business should be taken away from the men who have made it and the men who own it and given to the Government should be sent out to investigate business of any character. They are against all business, and are therefore in no frame of mind or mental attitude to investigate any business. I do not believe that a man who is opposed to the fundamental principles of this Republic ought ever to be employed in any official capacity by this Republic, and that is the thing I have in mind. And I will say to the Senator from Iowa [Mr. KENYON] that I think I shall show to his satisfaction that these men are guilty of the very things I have charged.

Mr. SMOOT. Mr. President, from the statement made by the Senator from Georgia [Mr. HARRIS] I take it for granted that he is very deeply interested in the question of reducing the high cost of living. Evidently he thinks that the Federal Trade Commission is the body that is going to bring about that reduction. I want him, as the personal defender of the commission upon this floor, to call the attention of the commission to the report of

a subcommittee of the Agricultural Committee of this body. Senator BALL was chairman of the subcommittee, and I want at this point to call attention to a part of the subcommittee report. The subcommittee reported that—

Frequently retail prices are from 200 to 300 per cent in excess of the wholesale prices. It would seem that the retail meat dealers receive a greater per cent of profit than the farmer, live-stock raiser, buyer, railroads, commission men, and cold-storage houses and packers combined.

I think, Mr. President, that is a fruitful field for the Federal Trade Commission to investigate, but I doubt whether an investigation will be made, because there are too many voters involved, and it is not popular at this time to attack a business, even though making two or three hundred per cent, if many votes are involved. It is admitted by everyone that the packers make only 2 per cent on their turnover, the smallest of any line of business in all the world; but they have few votes. This is a splendid place for the investigation of the Federal Trade Commission to begin, Mr. President, to see how the high cost of living can be reduced. It was shown—and I know it to be true—that to-day the wholesale price of beef in the District of Columbia is \$16.44 a hundred. That includes every dollar that is paid to the man who raises the steer, all the expenses attached in raising it, the expense of purchasing it, the expense of shipping it to market, and the expense of the packer from the time he receives the steer until the beef is put in the retailer's hands here in the District of Columbia. I doubt very much whether \$16.44 a hundred, for which that beef is sold by the packer to the retailer in the District of Columbia, will cover the difference between the wholesale price and the price that the consumer is compelled to pay in this city.

LIVE-STOCK INDUSTRY OF THE WEST.

Mr. CAPPER. Mr. President, I have here a communication from the Kansas State Live Stock Association, one of the strongest and largest associations of producers in the West, which I would like to have read by the Secretary, and then, if I may have the unanimous consent of the Senate for a few minutes, I would like to have the indulgence of the Senate for a brief comment on the subject.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: The executive committee of the Kansas State Live Stock Association have requested us to appeal to you and other Members of Congress and to the various departments of the Federal Government in behalf of the live-stock industry of the West, which is now threatened with disaster.

We have the anomalous situation at this time of complaint from consumers all over the country that meat prices are high, while at the same time the producer is losing money on every animal he markets at present prices.

We believe that from the supply and demand standpoint there is no legitimate cause for the radical decline of 25 per cent in live-stock values in the last 90 days. But, nevertheless, every animal marketed to-day loses the cattle feeder from \$30 to \$50. The loss to live-stock raisers in Kansas alone amounts to millions of dollars in the last few weeks. There will be a great falling off in number of cattle and hogs fed in the Southwest the coming season, and production greatly curtailed, if conditions do not improve.

Legislation that will assist in opening up the foreign markets, establish a system of credit advances for foreign buyers, stabilize the home markets, and reestablish normal business conditions at the earliest possible moment will be of great assistance to us. There should also be a reduction in ocean rates on meat products to European markets.

We believe the situation should have the best attention of the Federal Government.

Very respectfully,

W. R. STUBBS, Chairman.
J. H. MERCER, Secretary.

Mr. CAPPER. Mr. President, I call the attention of the Senate especially to this memorial because it has direct bearing upon the relation of the producer to the problem that is uppermost now in the minds of all the people of this country, and which really is at the base of the inquiry that is now being conducted in this city by the industrial conference.

A subject that is engrossing the attention of the whole Nation at this time is the matter of the cost of living. On every hand it confronts us. It touches every person in our land. The industrial conference now in session at the call of the President has at its base, as I said, this same vexing problem. In our efforts to get rid of the high-cost-of-living disease I fear we are in some danger of dying of the remedy. As a result of Washington's effort to reduce high prices by bearing down entirely on the cost of food, we have the remarkable spectacle of a rise of 1 per cent in the cost of living coincident with market drops that are putting live-stock raisers out of business and causing serious losses to other producers.

Mr. President, for many years I have been in touch with farming and with the needs and aspirations of farmers. We do not need the statistics—which, if required, might be produced in abundance—to convince us of the patriotism of the farmers of the Nation in responding to all war needs, whether in increased

production, in subscribing to war charities and war loans, or in giving their sons to the Army and Navy and their wives and daughters to replace them in the field. We know full well of the nature and degree of the farmer's response to every call made upon him. But when the call went out summoning this great industrial conference to meet in Washington, the farmers of the Nation, constituting almost half of our producing population, were accorded but three representatives. Agriculture, the greatest of all industries and the basic industry of the country, finds itself playing a minor part, so far as number of representatives is concerned, in a conference which, if it succeeds in its purposes, will have a vital effect on the future industrial life of the Nation.

In this agriculture is acting a not unusual rôle. It is unfortunate, but it is true, Mr. President, that agriculture never has received recognition in proportion to its vital importance in this country. Always it has been called upon to serve, rarely to participate in making the rules of service.

During the war and since the war, in whatever has been done to meet emergencies, it is the consumers' best friend, the producer, who has invariably been hit. He has been the one who chiefly has borne the brunt of it. When the control of the Food Administration was lifted last winter from flour, shorts, and bran, these products almost doubled in price immediately. Many dairymen were compelled to go out of business because they could not buy mill feed. But grain made little or no advance.

Then came dollar-an-hour wages, which would require about \$3 wheat for the average winter-wheat grower to break even. And this has now been followed by a decline in the market price of all farm products incidental to an otherwise resultless campaign against profiteering which has left the producer in a position where he is getting decidedly the worst of it.

Farmers were urged during the war to produce wheat and were rewarded by an appreciative Government with a guaranteed price—nearly a dollar a bushel below what was being received in the open market. And the great United States Government profited \$23,000,000 at the expense of the farmer in 1918. Then, early this year, the war having closed, the Government guaranteed the farmers a price for their wheat, and the Congress appropriated a billion dollars to back up the guaranty, but the farmer has been accepting anything from 20 to 70 cents less than the guaranteed price. The Government not only has the billion dollars saved, but the United States Grain Corporation, by means of an embargo on wheat and wheat products to Europe, probably will be able to report an equally large profit for the year 1919. The situation of the live-stock farmer is even more deplorable. Urged by the Government at the beginning of the war to produce an increasing amount of pork and mutton and beef, he responded as did the wheat farmer. In 1918, with the war on, he made a satisfactory profit, though nothing in comparison with the profits made by manufacturers in practically every line. It takes three years, Mr. President, to produce a steer for market. This year, with the war ended, with the Government out of the market, with the European markets closed by reason of prohibitive foreign exchange rates and lack of credit, with the Government making its first essay into the cost of living problems by a demand for a lowering of price of farm products, the live-stock man to-day finds himself confronted with a demoralized market, and a loss amounting sometimes to as high as \$60 a steer on the very live stock that the Government induced him to produce. The result has been complete financial failure of many live-stock men and immense losses to all who had herds when this year's enormous slumps in prices occurred.

Farmers are selling their grain-fed beeves and hogs for less than it costs to produce them, but the consumer finds little or no change in the price of meat.

While everything a farmer must buy demands the high dollar, the price of his commodities, the cheapest in the market, are held down by a foreign embargo and a Government guaranty.

In 1917, when the Government set the price on wheat, Kansas farmers were selling it for \$2.45 to \$2.60 a bushel. Everything, including labor, has since doubled in price, but farmers are compelled to sell these same grades of wheat to-day for \$1.80 to \$2.04 a bushel. In Kansas the wheat area has been reduced two to three million acres as a consequence.

Without visibly helping the consumer, we have brought about a crisis in our most fundamental and vital industry by forcing the producer to accept prices at which he can not continue to produce.

We can not continue to take away from the producer the comparatively small profit he makes and expect him to go on producing and increasing his output. Such a policy leads inevitably to a lessened food supply and to more instead of less privation.

The policy, Mr. President, of fostering all industries except one, and neglecting that one, the most vital of all, is to-day driving many farmers out of business. In every big town in the Middle West you will find to-day many men working for day wages who will tell you they are retired farmers. The truth is they either failed to make a real living as tenant farmers, or, if, they owned the land, found it far more profitable to sell out than to continue farming.

The country is constantly and rapidly losing men possessing valuable knowledge and skill as farmers to the city, where they are by no means as useful. There can be no doubt about it that the extremely high price of land, the comparatively high wages paid labor, the hazards of farming, and our organized packer-controlled markets undoubtedly are greatly increasing the drift to the cities.

I know, Mr. President, that it is perfectly natural for city people, facing the burdensome cost of living, to jump at once to the conclusion that the first step in reducing such cost is to bear down the price of production. It seems logical, yet, under modern conditions of trade, there was never a greater error. It has been my fortune, Mr. President, during my brief service in the Senate to have opportunity to examine into the consumer's side of the cost of living, and I have been forced to the conclusion that the chief contributing element in high-living costs is our complicated and intricate distribution system. While the wheat farmer has been forced to accept much less than the Government guaranteed price for his wheat, and while the live-stock producers have incurred immense losses, and in many instances financial bankruptcy, because of a slump of 35 per cent in prices for live stock, the consumer has paid the same or higher prices for all food products except four. According to figures prepared by the Bureau of Labor Statistics in the Department of Labor, and given to the public last week, the only food items in which there have been reductions during this year are: Navy beans, 30 per cent decline; plate beef, 9 per cent decline; chuck roasts, 5 per cent decline; corn meal, 3 per cent decline. In contrast with these declines all other commodities in the list of staple foods showed increases ranging from 1 per cent for round steak, rib roast, and bread, to 28 per cent for lard and 85 per cent for onions. Butter showed an increase of 19 per cent; lard substitutes, 29 per cent, or 1 per cent more than lard itself; and fresh milk, 14 per cent. I shall not weary you with further statistics, except to say that while the bottom fell out of the hog market, declining 8 cents per pound in 60 days, bacon went up 11 per cent above the war prices of last year. Surely nothing further is required to show that the consumer is not reaping the benefit from the losses suffered by the producer, and surely these facts should help disabuse the public mind of the generally prevalent opinion that the farmer is rolling in wealth and prospering beyond all reason.

Indeed, Mr. President, the exact contrary is the case. Falling live-stock markets have in a few weeks cost Central West cattle and swine raisers \$80,000,000. The drop on one Kansas man's steers amounted to \$17 a head in just two days. A Nebraska farmer who owned a fat hog August 26 awoke next morning to find it worth \$3 less. Three days later it was worth \$12 to \$15 less. When a farmer's entire capital is invested in a herd of hogs or cattle, it means a loss that not infrequently spells bankruptcy for him, for it must be borne in mind that not always—in fact, in a majority of cases—does the farmer own the land he farms.

Cut the farmer's price in two and the consumer hardly knows the difference, as has been shown, thanks to the long and increasing line of profit takers between producer and consumer; but when the farm prices get below the cost of production, as has been the case with cattle and hogs this year, and in many cases likewise with wheat, the producer has to stop. Mr. President, there is where the farmer's present dilemma is, and should be a matter of concern to the whole country, and must be if agricultural production shall not fall below the danger line in this country.

The farmer does not control the supply nor fix the price, and never has. He has to take what is given him. The profiteering is done further along the line. While speculator and gambler and gouger still get away with the swag, legitimate business suffers and the producer suffers.

Six and seven cent milk at the farm sells for 15 and 16 cents a quart in town. I am quoting Kansas prices now. The figures are much higher and the disparity much greater here in Washington.

The price of a single pair of shoes will keep one person in bread for a whole year, but a farmer can get only \$5.10 for the hide of a year and a half old steer, which possibly would supply the leather for 8 or 10 pairs of \$12 shoes. A pair of calf-

skin shoes costs more than the farmer gets for the calf. Somebody in between gets what is paid for the veal, while the calf-skin makes many pairs of shoes.

It takes four and a half bushels of wheat to make a barrel of flour. The wheat raiser gets about \$8.37 for the wheat, the miller \$12.70, the baker \$58.70, and the hotel keeper here in Washington, as it is doled out in thin slices, \$587.

And the trouble is, Mr. President, that in many cases these extortionate profits of the middlemen come right back on the farmer. Although live-stock markets are demoralized and grain markets are down, the cost of mill feeds and oil meals soars higher. Farm wages have doubled. Everything the farmer buys has advanced from 50 to 300 per cent.

Needing some extra feed for his cows, a Kansas farmer writes me, he sent his daughter to town for 100 pounds. The price was \$4.45. A few days later he needed another sack, and this time he had to pay \$4.85 to get it. Yet everything that went into its production had gone down in price.

The other day seven Ohio farmers who were selling milk—and it developed that they were obtaining less than the cost of production, their investment considered—were thrown into jail at Cleveland. Their offense was "collective bargaining." They were officers and salesmen of a farmers' cooperative company. Their arrest was caused, of course, by commission merchants, who sought to drive them from the field of distribution. The excuse was that they were combining in restraint of trade. Yet what these men were attempting to do, if it became the general practice, would probably solve the problem of providing better prices for the producer and lower prices for the consumer by cutting out the army of middlemen that thrive off the industry of both. If it is to be the practice of the Government to prosecute farmers who seek a more economical method of supplying their products to the consumer, the inevitable results will be to drive more and more farm-bred boys and girls and even their parents to the city, with a consequent permanent injury to the farming industry.

Indeed, Mr. President, that is what is taking place in this country right now. In my own State more than half of the 25,157 increase in population in the last year was in the four largest cities, according to a statement made only last week by our State board of agriculture. The population in towns and cities of more than 2,500 increased 35,422, a net loss to the farming community of the State of 10,000.

At the risk of wearying the Senate, Mr. President, I desire to quote from some genuine letters from real farmers received in the last week.

Here is one from Oscar Miller, a farmer near Oxford, Kans.:

I write in regard to smashing the high cost of living and the relation of the reduction to the cost production. It seems that cost of production is absolutely forgotten or ignored by the administration forces. The campaign is aimed at but one object, and that is the meat producer. Study of costs, such as feed, labor, is not considered by Palmer and his associates. The producer has no organization as yet, and can not concentrate his energies in strike and make himself feared. In this dilemma he is perfectly powerless. Our Department of Agriculture has been boasting of greatly increased production to save the world, and pays us for our pains by helping the administration send the price of hogs down \$7 per hundred pounds. If this continues much longer, and the producers do become organized, they may use the same weapons as the labor unions, and as justly, for a Nation-wide railroad strike would be as brutal as a meat or grain producers' strike.

Another correspondent, J. J. Miller, Karvel, Colo., writes:

The quickest and surest way to reduce the high cost of living is more production (this goes for manufacturing as well as farm production) and smaller armies, fewer Government jobs, smaller cities and towns. Every other farm in my vicinity is idle or rented to some poor cuss that had to stay here during the war like myself. Last year I farmed 230 acres alone, renting two half sections. This year I farmed 170 acres, renting one half section. Next year I will farm only 80 acres, renting none, and will work only eight hours a day. I am just as important as any union man, if I don't have a union card and pay dues.

Of course, this farmer will not keep his promise to himself, but will work from sun to sun, as do all of his kind.

I quote from a letter from S. C. Landis, a friend and neighbor in my home county, as good a farmer and as good a citizen as there is in America. He says:

We are the most submissive of any industrial class. We take what we get for our products and have no price-fixing authority of our own, and when we want to buy anything some one else fixes the price for it. We never go on a strike and stop producing, and now, while nearly all other industrial classes are striking and restless, we are going on preparing our wheat ground for another crop * * * with lower prices staring us in the face on account of the great cry against the high cost of living.

I am glad to acknowledge, Mr. President, that the President could not have chosen better in selecting the three men who do represent the farming class in this great conference. In this connection I desire to quote briefly from the statement of Mr. Charles S. Barrett, president of the National Farmers' Union, one of the delegates representing agriculture, made at the

industrial conference on October 8. Touching on this point of inadequate recognition of agriculture, Mr. Barrett used this language, which I most heartily indorse:

I am among those who believe that the farmers have not been dealt with in a fair, open manner. They have not been treated as an integral, important, and necessary part of industry. The fact that agriculture is basic, fundamental, and essential to the life of the world has either been ignored or given scant notice. The attitude of government toward agriculture is that of an irate parent toward a naughty, irresponsible boy.

Agriculture has been treated by the Government as something that ought to be governed rigidly, but should never have any part in government. Other groups have behaved as though agriculture were a side issue having no rights that should be fully regarded and not entitled to be consulted on the mighty issues of the day. Government has urged it to produce food and cotton and other essentials, but it has never apparently given thought, or at least serious thought, to the reward that it should receive for its investment of money and manual energy.

When will the other two great members of what ought to be a governing triumvirate recognize the fact that agriculture is the most important of all; that nothing can be settled without the assent of agriculture; that nothing can be made permanent for the permanent good of humanity without the active cooperation of agriculture. To attempt to settle the grave questions now agitating us without the assistance of the farmer is like trying to put Hamlet on the stage with the hero left out.

It is not my desire to be hypercritical or cry wolf until I at least see the tracks of the animal in the snow. But I would like to ask, Why has agriculture been given such scant notice in connection with a conference fundamentally so important? Why were only three men as representatives of the greatest industry in the world invited to participate in these momentous deliberations? What is responsible for the fact that agriculture is not given a place commensurate with its importance and on a footing of equality with the other two members of the mighty triumvirate?

Is it because we have been comparatively quiescent? Is it because we have not gone into the highways and byways campaigning for them? Is it because there is a suspicion in certain responsible minds that we are not organized and consequently are incapable of exerting the influence which can be exercised only when we march as a solid phalanx?

It can not be that anybody is so blissfully innocent as to believe that the immense questions before this conference can be settled without the aid of the farmer. And can anybody honestly suppose that if an agreement between capital and labor is reached in which agriculture has no effective vote that agreement will be permitted to stand.

Don't, gentlemen, allow yourselves to be deluded into the false idea that agriculture can not kick; that it will be forever quiescent; that it will continue to be exploited and made the football of other great national interests. Uncle Reuben is waking up. He realizes that he has not had a square deal. He is by nature conservative. He hates Bolshevism. He despises all means that aim to the subversion of the American Constitution, and would fight to the last ditch to save the country from red infamy and I. W. W. diabolism.

But do you think that the man who would fight I. W. W.ism, who has a holy contempt for Bolshevism, would not also fight for his own rights? He is conservative, but that doesn't mean that he is ready to be walked over, to be trampled upon, to be made the cat's-paw of the scheming politician on the one hand and the victim of the profiteer on the other.

Mr. President, Mr. Barrett is not alone in his opinion of the dignity and importance of agriculture in our industrial structure. Another American, a very great American, to my mind the greatest American of our time, the late Col. Theodore Roosevelt, shortly before his much lamented death, gave utterance to these words in the last magazine article written by him:

The farmer, the workman, and the business man are, of course, the three people upon whose welfare the welfare of all the rest of us and of the country depends. With the farmers what is especially needed is that we shall accept their own best leadership and best thought about telling us what to do. * * * What we need is to have men of this stamp set forth the farmers' viewpoint, and the rest of us must intelligently appreciate this viewpoint, and so far as possible embody in legislation what men of this stamp regard as the salient needs. * * * The farmer is emphatically the producer. He has not had a square deal. He has not been put in the position to which he is entitled.

So much, Mr. President, for the importance of agriculture and its right to adequate representation in an industrial conference that assumes to be the chief factor in industrial reconstruction following the Great War. I do not know how much we may hope from this conference. Certainly every man concerned for the welfare of the country hopes for far-reaching beneficial results from its activities, but I am convinced, Mr. President, that there is much that the Government may do, both in its executive and legislative branches, to encourage agricultural production in this country and to give reasonable hope of material rewards for such industrial activity.

First, the departments of the Federal Government should cease the propaganda which tends to bear down the prices of farm products, and should direct governmental energies to curbing the profiteering going on along the line between the producer and the consumer. I am not advocating a system which would guarantee abnormally high prices to the farmer indefinitely, but I say we are very much in need of a system which will stabilize prices of farm products. It is the violent fluctuations which do the greatest damage. Emphasis should also be placed on the generally disregarded fact that in the list of items making up high living costs food products really cut but slight figure. A far larger share of the worker's wage goes for rents, fuel, shoes, and clothing at profiteering prices.

Instead of trying to force down improperly the prices of farm products, the executive departments should seek by every means at their command to open wider markets to the farmer by lifting the embargo on wheat and wheat flour to Europe, by extending credits to European Governments, so that they may come back into the market for American meats, and by lowering ocean freight rates and thus making it easier for Americans to compete with other nations for such foreign trade. The present ocean freight rate to Europe on American meats is now \$4.50, as compared with 60 cents before the war. These rates should be radically lowered, even if it be impossible, because of rising costs of ships and labor, to reach the prewar level.

Such activities by the executive departments should be supplemented by the Congress by the enactment of legislation that will free the live-stock producer from the control of the packer, and that will enable the farmer to have some part, through the formation of cooperative selling agencies, in making the prices of farm products. Price making in necessities of life, like meat, wheat, flour, and fuel, should never again be left to the gamblers of the exchanges or to corporation monopoly. The Wall Street stock-jobbing pirates have thrived in the last year as never before. Glib-tongued salesmen have unloaded billions of worthless stocks in the last year, all of which has contributed to the high cost of living. There should be a way to end it.

Mr. President, if in this glance at the great industrial problems that confront us I have emphasized the farmer's side of the case, it is because I feel that he has not been sufficiently considered heretofore, and because I am firmly of the opinion that agriculture lies at the base of all prosperity in this country. Unless the farmer can continue to thrive, we all must suffer. In the reconstruction problems before us it is important that we start right. We must act broadly and with decision. But what I wish to emphasize particularly is that it will not do to seek to pacify and satisfy capital and labor, employer and employee, and leave out of the accounting the great basic industry of farming.

I fear Washington, Mr. President, has seen only the consumer side of the cost-of-living problem. It has held farm production down close to a cost margin for three years while it has let every other form of production soar. Apparently it can not be made to see the farmer has any difficulties. For six months the farmers of the United States have appealed in vain for the reform of the grading and discount system established under Government rules, which swindles the average farmer out of 15 cents a bushel on his grain. Washington does not realize how many farmers are getting little or no profit or are even losing money on their low-yield wheat crops. It does not foresee that many farmers may decide they can not afford to raise any more wheat and may quit planting it, or may quit farming entirely and go to town, where, as one farmer, writing me under date of October 11, says, "I can make more getting these big wages than I can paying them."

Factories and corporations, Mr. President, are required to pay a return on the capital invested and their watered stock over and above the expenses of doing business or go into bankruptcy. Whereas if every farmer had to do as well or fail, the agricultural industry would have to be taken over by the Government to keep it alive, and the cost would make the big railroad deficits look like a handful of copper cents.

It is my deepest conviction, Mr. President, that what Washington and the country need most to realize is that the surest guarantee of an enduring national life is a permanent, prosperous, and progressive agriculture. Also that until farming is made as profitable as any other business requiring the same amount of capital, skill, ability, and hard work we shall not attain this condition nor truly solve our cost-of-living problem.

If I have dwelt at some length on the disadvantages under which agriculture is laboring, I would not have it thought I am in the least degree pessimistic. I am not. I have faith that we shall meet the problems with such clear vision and in such broad spirit of toleration that we shall be able to find the correct solutions. I am indeed an optimist in spite of the present lowering clouds.

Mr. President, we must all unite to win the right conditions in peace times, just as we united to win the war. Then this great national readjustment will be accomplished without hardship, and the Nation will not feel the strain, which otherwise will be heavy, possibly to the breaking point.

We need more of the spirit of fair play as between man and man. It is a poor time for strikes and for strife. The great and imperative need is production at maximum speed. Greater industry, harder work, more rigid economy in public and private expenditures, cutting out of all luxuries, and, above everything else, increased production, are to-day as solemn a duty upon

all alike as they were during the crisis of the war. We can each do our part by refusing to get excited, by keeping as busy and as cheerful as possible, and plugging away.

I have faith in the common sense and steadfast patience of the American people, the common sense and the patience that was typified and deified in Lincoln. Nor do I believe that we shall any of us be willing to hazard or to waste or destroy or injure the land that those 50,000 gallant American boys who marched down the long, long trail never to return died in a foreign land to perpetuate and save.

It is a time when partisanship must be put aside and every man in Washington cooperate to the utmost of his ability. I hope to see the peace treaty ratified at the earliest possible moment, and then let this Congress take up the great problems that are pressing for solution. American initiative, American pluck, American inventive genius, a thoroughgoing American policy, and the real American spirit must be backed up as never before with true American statesmanship. I have entire confidence that the Congress of the United States will meet the issues in a way that befits America and her destiny.

THE CALENDAR.

The VICE PRESIDENT. Morning business is closed.

Mr. SMOOT. If no Senator desires to speak, I wish to make a request for unanimous consent. I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar under Rule VIII, beginning with Order of Business No. 183.

Mr. SMITH of Georgia. That is where we stopped on Monday last?

Mr. SMOOT. That is where we stopped on last Monday.

Mr. NUGENT. To what does that order of business refer?

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar under Rule VIII, beginning with Order of Business No. 183, the bill the Senate had under consideration on last Monday, and that the Senate proceed from there on.

Mr. NUGENT. I would prefer, if the Senator please, that that bill be postponed at this juncture, as I should like to make some personal investigation with respect to an amendment which I caused to be incorporated in the bill in the committee.

Mr. SMOOT. I will say that all the Senator will have to do will be to object to the consideration of the bill, and then we could go right on with the calendar.

Mr. SMITH of Georgia. But it will be necessary, first, to secure the consent that the Senator from Utah asks in order to begin at that point and proceed with the calendar.

Mr. WALSH of Montana. If that is the situation, I am going to object to the request for unanimous consent. I have not the slightest objection to going on with the calendar and commencing where we left off on Monday last with the bill which was then under discussion; but I am not going to give consent to go on with the calendar and then have that bill objected to.

Mr. NORRIS. Of course that bill will have to take its chances like any other bill on the calendar.

Mr. WALSH of Montana. Yes; except, as the Senator understands, that a Senator has already indicated that he will object to that particular bill.

Mr. NORRIS. Yes; I understand that.

Mr. WALSH of Montana. That is the bill that was under consideration when we last considered the calendar.

Mr. NORRIS. But the Senator can not expect the Senate to proceed with the calendar with the understanding that some particular bill will not have the rule enforced against it the same as in the case of any other bill on the calendar.

Mr. WALSH of Montana. Of course; it is exactly the same, except that it was under consideration when we last considered the calendar.

Mr. NORRIS. I am not going to object to the bill, I will say to the Senator; I have no objection to its present consideration; but it seems to me that the Senator is adopting a narrow view if he will not let the calendar be considered because some particular bill is going to be objected to.

Mr. CURTIS. Mr. President, I think the Senator from Idaho [Mr. NUGENT] will withdraw his objection.

The VICE PRESIDENT. There was not any necessity for the Senator from Utah making the request. This is the plain rule of the Senate:

RULE VIII.

ORDER OF BUSINESS.

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the calendar of bills and resolutions and continue such consideration until 2 o'clock.

Mr. WALSH of Montana. I desire to say, however, that if the Senator from Utah had not made the request I should have

moved to proceed to the consideration of Senate resolution 215; but I give way to the Senator.

The VICE PRESIDENT. The Senator from Montana would have a right to make that motion.

Mr. SMOOT. The idea I had was to take up and consider only bills to which there is no objection, but I did not put that in the original request; and if the calendar is coming up in regular order, let it come up at this time.

The VICE PRESIDENT. There is no unfinished business. Order of Business No. 183, Senate bill 2890, is before the Senate.

CROW INDIAN RESERVATION LANDS.

The Senate as in Committee of the Whole resumed the consideration of the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

Mr. CURTIS. Mr. President, when we concluded the consideration of the calendar on Monday last, Senate bill 2890 being under consideration, the amendment offered by the Senator from Montana [Mr. MYERS] was pending. I hope that the amendment will be defeated. The bill as presented was asked for by the tribe, and they were consulted about the matter to which the amendment refers. That being true, they surely should be considered about water-power sites on their land. That is all I desire to say on the subject at this time.

Mr. MYERS. Mr. President, I have said all I care to say, and will ask for a vote. I shall vote for the amendment, but shall not take the time of the Senate any further on the subject.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Montana to the amendment of the committee.

The amendment to the amendment was rejected.

The amendment of the committee was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISPOSITION OF SURPLUS MOTOR-PROPELLED VEHICLES.

The bill (S. 3037) to authorize the Secretary of War to transfer free of charge certain surplus motor-propelled vehicles and motor equipment to the Department of Agriculture, Post Office Department, Navy Department, and Treasury Department for the use of the Public Health Service, and certain other surplus property to the Department of Agriculture, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with amendments on page 2, line 21, before the word "hereby," to insert "also"; and on page 4, after line 15, to insert a new section, as follows:

SEC. 5. That any State highway department to which is assigned motor-propelled vehicles and other equipment and supplies, transferred herein to the Department of Agriculture, may, in its discretion, arrange for the use of such vehicles and equipment, for the purpose of constructing or maintaining public highways, with any State agency or municipal corporation at a fair rental, which shall not be less than the cost of maintenance and repair of said vehicles and equipment. The title to said vehicles and equipment shall be and remain vested in the State for use in the improvement of the public highways, and no such vehicles and equipment in serviceable condition shall be sold or the title to same transferred to any individual, company, or corporation.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, in his discretion, to transfer, free of charge, such motor-propelled vehicles and motor equipment, including spare parts, pertaining to the Military Establishment, as are or may hereafter be found to be surplus and no longer required for military purposes, to (a) the Department of Agriculture, for use in the improvement of highways and roads under the provisions of section 7 of the act approved February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year 1920, and for other purposes"; *Provided, however,* That no more motor-propelled vehicles, motor equipment, and other war material, equipment, and supplies, the transfer of which is authorized in this act, shall be transferred to the Department of Agriculture for the purposes named in section 7 of said act than said Department of Agriculture shall certify can be efficiently used for such purposes within a reasonable time after such transfer, (b) the Post Office Department for use in the transmission of mails, (c) the Navy Department upon the request of the Secretary of the Navy and with the approval of the Secretary of War, and (d) the Treasury Department for the use of the Public Health Service under the provisions of section 3 of the act approved March 3, 1919, entitled, "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines."

SEC. 2. That the Secretary of War is also hereby authorized and empowered, in his discretion, to transfer, free of charge, to the Department of Agriculture, under the provisions of section 7 of the act approved February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year 1920, and for other purposes," for use in the improvement of highways and roads, as therein provided, the following war material, equipment, and supplies pertaining to the Military Establishment as are or may hereafter be found to be surplus and not required for military purposes, to wit: Road rollers, graders, and oilers; sprinkling wagons; concrete mixers;

derricks; pile-driver outfits complete; air and steam drill outfits; centrifugal and diaphragm pumps with power; rock crushers; clamshell and orange-peel buckets; road scarifiers; caterpillar and drag-line excavators; plows; cranes; trailers; rubber and steam hose; asphalt plants; steam shovels; dump wagons; hoisting engines; air-compressor outfits; with power; boilers; drag, Fresno, and wheel scrapers; stump pullers; wheelbarrows; screening plants; wagon loaders; blasting machines; hoisting cable; air hose; corrugated-metal culverts; explosives and exploders; engineers' transits, levels, tapes, and similar supplies and equipment; drafting machines; planimeters; fabricated-bridge materials; wagons and similar equipment and supplies such as are used directly for road-building purposes.

Sec. 3. That the Secretary of War is also hereby authorized and empowered, in his discretion, to transfer, free of charge, to the Department of Agriculture, for the use of the Forest Service, any telephone supplies pertaining to the Military Establishment as are or may hereafter be found to be surplus and no longer required for military purposes.

Sec. 4. That freight charges incurred in the transfer of the property provided for in this act shall not be defrayed by the War Department, and if the War Department shall load any of said property for shipment the expense of said loading shall be reimbursed the War Department by the department to which the property is transferred by an adjustment of the appropriations of the two departments: *Provided, however*, That any State receiving any of said property for use in the improvement of public highways shall, as to the property it receives, reimburse the Department of Agriculture for all amounts paid by that department to the War Department in reimbursement of loading charges upon said property.

Sec. 5. That any State highway department to which is assigned motor-propelled vehicles and other equipment and supplies, transferred herein to the Department of Agriculture, may, in his discretion, arrange for the use of such vehicles and equipment, for the purpose of constructing or maintaining public highways, with any State agency or municipal corporation at a fair rental, which shall not be less than the cost of maintenance and repair of said vehicles and equipment. The title to said vehicles and equipment shall be and remain vested in the State for use in the improvement of the public highways, and no such vehicles and equipment in serviceable condition shall be sold or the title to same transferred to any individual, company, or corporation.

Sec. 6. That the provisions of the act of July 16, 1914 (38 Stat., p. 454), prohibiting the expenditure of appropriations by any of the executive departments or other Government establishments for the maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles, in the absence of specific statutory authority shall not apply to vehicles transferred or hereafter to be transferred by the Secretary of War to the Department of Agriculture for the use of the department under the provisions of this act or under the provisions of section 7 of the act of February 28, 1919, referred to in section 1 hereof: *Provided, however*, That nothing in this act contained shall be held or construed to modify, amend, or repeal the provisions of the last proviso under the item entitled "Contingencies of the Army," as contained in the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KING subsequently said: Mr. President, I should like to inquire of the Chair what disposition was made of Order of Business 184, Senate bill 3037.

The VICE PRESIDENT. It was passed.

Mr. KING. I regret that I was not in the Chamber when that matter came up for consideration.

SALE OF SURPLUS MACHINE TOOLS.

The bill (H. R. 3143) to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade, technical, and public schools and universities, other recognized educational institutions, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of War be, and he is hereby, authorized, under such regulations as he may prescribe, to sell at 20 per cent of their cost, to trade and technical schools and universities and other recognized educational institutions, such machine tools as are suitable for their use which are now owned by the United States of America and are under the control of the War Department, and are not needed for Government purposes. The money realized from the sale may be used by the Secretary of War to defray expenses incident to distribution of the tools, and the balance shall be turned in to the Treasury of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

GRANT OF CITIZENSHIP TO CERTAIN INDIANS.

The bill (H. R. 5007) granting citizenship to certain Indians was considered as in Committee of the Whole. It proposes that every American Indian who served in the Military or Naval Establishments of the United States during the war against the Imperial German Government, and who has received or who shall hereafter receive an honorable discharge, if not now a citizen

and if he so desires, shall, on proof of such discharge and after proper identification before a court of competent jurisdiction, and without other examination except as prescribed by said court, be granted full citizenship with all the privileges pertaining thereto, without in any manner impairing or otherwise affecting the property rights, individual or tribal, of any such Indian or his interest in tribal or other Indian property.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUITS IN ADMIRALTY AGAINST THE UNITED STATES.

The bill (S. 3076) authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdictions, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I should like to ask the chairman of the Committee on Commerce what change, if any, this bill makes in existing law. It seems to me that this measure ought to have gone to the Committee on the Judiciary. That committee is now considering a bill extending the jurisdiction of the district courts to hear causes of action against the Government of the United States, and it seems to me that this is legislation of the same character as that which is being considered by the Judiciary Committee.

Mr. JONES of Washington. Mr. President, I will say to the Senator that the purpose of the measure is this: Under the language of the shipping act the Supreme Court has held, in a recent case, that the ships of the Emergency Fleet Corporation, for example, are subject to the application of the same remedies for damages that private ships are, and therefore if one of these Emergency Fleet Corporation ships, a ship of the United States, causes damage and is libeled, the ship is attached and held until bond is given. It seems that the officers of the ships have no authority to give bonds, and so the Government's ships are put to a great deal of delay and the Government is put to a great deal of inconvenience and loss. The purpose of this bill is to avoid that by simply providing that persons having claims growing out of the action of these ships, instead of having a suit in rem against the ship, as they have against private ships, shall have a suit in personam against the United States, which everybody, of course, recognizes is perfectly good. That allows the ship, then, to go on about its business. That is really the purpose of this bill, and while the bill is rather long and has to be in order to meet various situations, yet that is the principal purpose of it. It gives the consent of the Government to a suit in personam against it.

Mr. KING. Is there any limitation upon the amount for which suit may be brought?

Mr. JONES of Washington. No.

Mr. SMITH of Georgia. Mr. President, would the Senator object to the bill going over for a day, so that we can compare it with the bill that we are working on in the Judiciary Committee?

Mr. JONES of Washington. I am glad attention has been called to the matter. Of course, the bill is rather long, and I did not know whether or not there might be objection to its being considered now. I shall be glad to have it go over, as requested.

Mr. SMITH of Georgia. I do not like to object, but if the Senator does not object to that course being taken I should be glad to have it go over, so that we can compare it with the bill now pending before the Judiciary Committee.

Mr. JONES of Washington. I shall be glad to have it passed over, and am glad to have the opportunity to explain the real purpose of the bill, and shall be glad to have Senators look into it, because I recognize the force of the suggestion of the Senator from Utah as to whether this subject might properly be considered by the Judiciary Committee. It does partake very largely of judicial questions, and yet it also affects the matter of commerce, and that probably was the reason why it was referred to the Committee on Commerce.

Mr. KING. I think I can say that the Judiciary Committee will not feel slighted because this bill was not referred to it; but there is a feeling upon the part of a number of the members of the committee that these claims against the Government, so far as possible, ought to be handled by the Court of Claims, whereas other members of the committee feel that the district courts of the United States ought to be the forum in which actions may be brought by individuals against the Government.

It is a very serious question whether or not there ought to be so much latitude in bringing suits against the sovereign. For myself, I think we are letting down the bars too much and that the Government of the United States will have suits brought against it in various parts of the United States under

conditions and circumstances where the evidence will not be available and the Government in the end will be subjected to a great deal of annoyance and a great many suits which are perhaps without merit.

Mr. JONES of Washington. I will say to the Senator that the Committee on Commerce had hearings with reference to the measure and heard officials of the War Department and the Department of Justice; and, in fact, this bill was prepared in the department.

Mr. SMITH of Georgia. I understand that the Senator from Washington agrees that the bill may go over.

Mr. JONES of Washington. Oh, yes; but I do hope Senators will look into it very carefully, because we are confronted with a very serious situation. I want to say that the Attorney General's office called me up day before yesterday, I think, and stated that there was a ship down in New Orleans that had been libeled and the court there refused to allow it to go. They have no way in which they can furnish bond unless they go out and arrange it in a roundabout way, as an accommodation for the Government on the part of somebody to furnish a bond so that this ship may go into commerce. That condition of things ought not to exist, of course, and we are trying to avoid it in the future.

Mr. KING. Mr. President, speaking for myself at least, I shall be very glad to have the Senator ask unanimous consent to take up the matter to-morrow, and I think in the meantime the members of the Judiciary Committee will examine it.

Mr. JONES of Washington. I hope they will, so that when we have an opportunity again we can take up the measure, because it is very important and urgent.

The VICE PRESIDENT. The bill will be passed over.

NORMAN LEE MOLZAHN.

The bill (H. R. 333) providing for the disinterment and removal of the remains of the infant child, Norman Lee Molzahn, from the temporary burial site in the District of Columbia to a permanent burial place was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (H. R. 6863) to regulate the height, area, and use of buildings in the District of Columbia, and to create a zoning commission, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. CALDER. Mr. President, I ask unanimous consent that Order of Business 76, Senate bill 1369, which is identical with the bill just objected to, be indefinitely postponed, so that later on we may take up the House bill.

The VICE PRESIDENT. The question is on the motion of the Senator from New York to postpone indefinitely Senate bill 1369.

The motion to postpone indefinitely was agreed to.

SUSIE CURRIER.

The bill (H. R. 753) for the relief of Susie Currier was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay to Susie Currier, of Old Town, Me., out of any money in the Treasury not otherwise appropriated, the sum of \$100, being full compensation for accident and injuries with resulting loss of time and expense while working as charwoman in the United States post office at Old Town, Me., December 14, 1914.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES A. CAREY.

The bill (H. R. 2452) for the relief of Charles A. Carey was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles A. Carey, of Lowell, Mass., the sum of \$132.57, out of any money in the Treasury not otherwise appropriated, for loss of pay on account of injury sustained while in the performance of his duty as a letter carrier at Lowell, Mass., on the 11th day of February, in the year 1913.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ETHEL PROCTOR.

The bill (S. 2773) for the relief of Ethel Proctor was announced as next in order.

Mr. SMOOT. Mr. President, that bill was introduced by the Senator from Michigan [Mr. NEWBERRY], and I wanted to ask the Senator, before objecting to the bill, if the death of Mr. Proctor was due to the performance of his regular duties as an em-

ployee of the Government on the Panama Canal? If so, this would be in the shape of a pension for a private citizen employed by the Government.

Mr. KING. Mr. President, if my colleague will yield, I shall object to the consideration of the bill.

The VICE PRESIDENT. The bill will be passed over.

BILLS PASSED OVER.

The bill (S. 2207) admitting civilian employees of the United States Government stricken with tuberculosis to Army and Navy hospitals was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2785) to provide aid from the United States for the several States in prevention and control of drug addiction and the care of drug addicts, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 76) for the investigation of influenza and allied diseases in order to determine their cause and methods of prevention was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

DELLA JAMES.

The bill (H. R. 3844) for the relief of Della James was announced as next in order.

Mr. SMITH of Georgia. Mr. President, just one word before the bill is read. I have just had a letter from Augusta, and this woman will be obliged to put four of her children in the poorhouse unless this bill is passed within the next few days. The Senator from Indiana [Mr. NEW] has charge of it.

Mr. NEW. Mr. President, as the member of the committee who reported this bill, I would like to make a brief statement about it. The claim is by the widow of this man Jones, who was killed in his own dooryard by a stray shot from a United States testing ground. He was working in his garden, when a shot fired on the testing ground at Fort Hancock killed him. He left a widow and eight children.

Mr. SMITH of Georgia. Nine children; the youngest 4 months old, the oldest 16 years.

Mr. NEW. The bill proposed to give the widow \$60 a month for 10 years. The committee amended it to make it read \$57.50, to accord with the war risk, and to place this man on an equality with a soldier; but I think the committee overlooked the fact that he could not have been taken as a soldier at all. A man with nine children dependent on him for support certainly could not have been taken, under any theory of law, as a soldier. I think the beneficiary should have had \$60. The bill provides \$57.50, and she will have to send her children to the poor farm unless she gets this relief.

Mr. SMITH of Georgia. Does not the Senator really think that the Senate would sustain the bill just as it came from the House, and let it go through carrying \$60 a month?

Mr. NEW. I think it should do so.

Mr. SMITH of Georgia. I think it is the general view that the reduction should not be made, and that the Senator from Indiana is exactly right. This was a tenant farmer, who worked on a piece of ground quite a distance from the camp. The officers found that the officer handling the gun was negligent. A court-martial was recommended of the officer who improvidently fired the gun that killed this man. The widow and children are to be allowed the money for only 10 years. There are nine children, ranging from 4 months old to 16 years old; and, as I stated, I have received a letter to-day stating that unless she can receive this pension at once she will have to put some of her children in the poorhouse; that she can not struggle on any longer without this help.

Mr. SMOOT. Mr. President, this is a very pitiable case, but I have never known the Senate to pass a bill of this kind. If the man had been working for the Government of the United States we would have given the widow a year's salary. That is the amount given in such a case.

Mr. SMITH of Georgia. No, Mr. President, if the Senator will permit me. When a person working for the Government of the United States is injured or killed by the negligence of the United States, we give his estate vastly more, and have always done so.

Mr. SMOOT. The rule is that the family are paid a year's salary.

Mr. NEW. Mr. President, will the Senator permit me?

Mr. SMOOT. Certainly.

Mr. NEW. The man was not working for the United States.

Mr. SMOOT. I am aware of that.

Mr. NEW. He was working at the time in his own garden, on his own little place, and was not in the employ of the Government. He was simply killed by a stray shot fired from the testing ground.

Mr. SMOOT. I have not denied that fact at all. The only question in my mind is whether we should pay in the case of a person killed by the Government of the United States, not in the employ of the Government, two or three times the amount that we would pay in the case of a man who was working for the Government and happened to be killed. The bill sets the precedent that a man who is not working for the Government and is killed by an accident, on account of the negligence of an employee of the Government, shall receive at least three times the amount that would be given if he had been employed by the Government. This means the payment of \$6,900. I can not call to mind any amount like that being paid in the case of an accidental death caused by the Government. I recognize all that the Senator from Georgia has said in relation to the widow's condition.

Mr. SMITH of Georgia. I only mentioned that as a reason for speed. I consider the United States Government absolutely liable, and I do not think there is any possible basis upon which it can decline to pay the sum named.

Mr. SMOOT. I am not stating that the Government of the United States should not give the widow some amount.

Mr. KING. Will my colleague yield to me?

Mr. SMOOT. Certainly.

Mr. KING. I should like to inquire of the Senator from Georgia whether he thinks that the Government ought to be responsible for the torts of its officers or agents?

Mr. SMITH of Georgia. I do.

Mr. KING. The Senator knows that municipalities are not, that counties are not, and that States are not.

Mr. SMITH of Georgia. Counties are—

Mr. KING. They may be in the Senator's State.

Mr. SMITH of Georgia. And municipalities are, as a rule, but not for the act of a police officer in making an improvident arrest. That is the exception.

Mr. KING. I am not speaking of police officers or officers of that character, but for the torts of the officers of the State, the State would not be responsible. If some officer of the State guard at the penitentiary or a member of the militia should commit a tort upon some private person, as I understand the rule, the State would not be responsible any more than a municipality is responsible if some policeman exceeds his authority or makes some assault, willful or otherwise, upon some individual. The rule is that the municipality is not responsible for the tort of its officials.

Mr. SMITH of Georgia. There is a certain character of tort, however, that grows out of the work of a policeman in making false arrests, but in cases of this character I have never known an instance in which the liability has not been recognized and compensated for.

Mr. KING. If my colleague will still permit me, suppose that among the thousands and millions of employees and soldiers of the United States there should be a large number of torts committed, assaults upon individuals, thefts of property, arson, and so on, does the Senator think the Government would be responsible?

Mr. SMITH of Georgia. I think there is a distinction between that class of cases and this one. Here the officers, in the regular discharge of their duties, were training men in the use of artillery, and in the training for the use of artillery, in the actual line of their duty, the necessary work in preparation for the war, by carelessness they killed a private citizen. I think that occupies an entirely different position from the ordinary tort to which the Senator referred.

Mr. SMOOT. The Senator does not say he was killed by bullets shot from a gun?

Mr. SMITH of Georgia. He was killed by the discharge of a gun.

Mr. SMOOT. The bill says, "Through the explosion of a certain shell used in target practice." I do not know how far he was away, or whether he was upon the ground on which the practice was taking place, but his death was caused by the explosion of a shell.

Mr. SMITH of Georgia. The shell was used in target practice, and exploded and a piece of it killed this man. He was quite a distance away. The Senator from Indiana can probably tell the distance. I think he was half a mile, at least, from the testing grounds.

Mr. NEW. Yes, Mr. President; the man was killed off the range, which had been laid out by the officers of the Government. He was where he had a perfect right to be. An account of the persons on the farm, as also of the persons on

other farms, had been taken when the range was laid out. A board of officers, a court of inquiry, was convened, which went into the case, and their official verdict as set forth in the report which accompanies the bill shows that the officers in charge were wholly responsible for the death of this man. It was due to their negligence, and a court-martial was recommended by Gen. Greble and the other officers who sat as members of the court.

Mr. SMOOT. I notice the charge against the officer was based upon "criminal negligence and not taking proper precautions to safeguard life." I have not any question but that the man was killed, and I have not any question of the negligence on the part of the soldiers of the United States. The only question in my mind is whether this is a proper amount to pay, based upon the claims that we pay for men who in the service of the Government suffer from such unfortunate accidents.

Mr. NEW. Mr. President, in reply to what the Senator from Utah says, I will state that if the man had been in the Army, in the uniform of the United States, he would have gotten, under the law, just what the bill gives him.

Mr. SMOOT. He would provided he had carried \$10,000 of insurance, and paid every month so much for that insurance. Then his family would have received \$57.50.

Mr. NEW. That is true.

Mr. POINDEXTER. Mr. President—

Mr. SMOOT. I yield to the Senator.

Mr. POINDEXTER. The Senator from Utah [Mr. King] says that such an act committed by an officer of a municipality would not render the municipality liable. I think the Senator from Utah is mistaken in regard to that. He compares this to the case of a tort committed by an individual. This is a tort, but a tort committed by an official in the line of his duty.

Mr. KING. Mr. President, will the Senator yield?

Mr. POINDEXTER. There is not very much distinction, if the Senator will just permit me a moment, between the liability of a municipality and the liability of a private individual or a private corporation. I remember cases where the question of the liability of a railroad for a personal assault committed by a conductor on a passenger was in issue, and it was held that the railroad company was not liable, because it was not in the line of the conductor's duty; that they did not employ him to commit assaults on passengers, and he did not have any right to do that at all. But where an official injures some one by the negligent performance of a duty which he was employed to perform, any municipality is liable, and that is the case that is stated here. Of course, the question of the right to recover enters into a case against the Government of the United States, but that is a matter entirely under the control of the Government itself.

Mr. KING. Of course, I do not like to question the learning and legal knowledge of the Senator, but I feel sure that an examination of the authorities will support the position which I announced, namely, that municipalities are not liable for the torts of their officers; that a marshal or a policeman may make arrests in virtue of a warrant or otherwise, and if he commits a tort there the municipality is not liable. There are many cases of that character, cases where municipal authorities have negligently permitted a building to be torn down and some unfortunate man was killed and the municipality was held to be free from liability.

Mr. POINDEXTER. The Senator is undoubtedly right in regard to a certain class of cases. The only question is whether or not the case described here is within that class or an entirely different set of cases. If a municipal employee, engaged in building a street, sets off a blast and kills people who live in the vicinity of the place where the blast is set off, the city is liable for negligence. There is no question about it.

Mr. SMOOT. Mr. President, it is now 2 o'clock. I move that the Senate proceed to the consideration of the treaty of peace with Germany in open executive session.

Mr. SPENCER. Will the Senator withhold the motion while I ask his colleague a question?

Mr. SMOOT. Very well.

Mr. SPENCER. I should like to ask the Junior Senator from Utah [Mr. King], if I may have his attention for a moment, whether he does not agree with me that when a municipality acts in a governmental sense the municipality is not then liable, but when the municipality acts in an administrative sense, then the municipality is liable for whatever damage it does.

Mr. KING. I think that is the distinction which the authorities make.

Mr. SPENCER. Certainly the shooting of a gun is not a governmental function. It is an administrative action.

Mr. KING. That is a matter upon which there might be a diversity of opinion.

TREATY OF PEACE WITH GERMANY.

Mr. SMOOT. I ask that the question be put on my motion.

The PRESIDING OFFICER (Mr. OVERMAN in the chair.) The Senator from Utah moves that the Senate proceed to the consideration of the treaty of peace with Germany in open executive session. The motion was agreed to, and the Senate, as in Committee of the Whole, in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|---------------|-----------------|--------------|--------------|
| Ashurst | Gay | McKellar | Smith, Ga. |
| Ball | Gronna | McNary | Smith, Md. |
| Bankhead | Hale | Myers | Smith, S. C. |
| Borah | Harding | New | Smoot |
| Brandegee | Harris | Newberry | Spencer |
| Caldor | Harrison | Norris | Sterling |
| Capper | Hitchcock | Nugent | Sutherland |
| Chamberlain | Johnson, Calif. | Overman | Swanson |
| Colt | Jones, Wash. | Page | Thomas |
| Culberson | Kellogg | Penrose | Townsend |
| Cummins | Kendrick | Phelan | Trammell |
| Curtis | Kenyon | Phipps | Underwood |
| Dial | Keyes | Pittman | Wadsworth |
| Dillingham | King | Poindexter | Walsh, Mass. |
| Elkins | Kirby | Pomeroy | Walsh, Mont. |
| Fall | Knox | Sheppard | Warren |
| Fernald | La Follette | Sherman | Watson |
| Fletcher | Lenroot | Shields | Williams |
| France | Lodge | Simmons | Wolcott |
| Frelinghuysen | McCumber | Smith, Ariz. | |

Mr. McKELLAR. The Senator from Arkansas [Mr. ROBINSON], the Senator from Mississippi [Mr. HARRISON], the Senator from Nevada [Mr. HENDERSON], the Senator from New Mexico [Mr. JONES], and the Senator from Louisiana [Mr. RANDELL] are absent on official business.

Mr. KING. The Senator from South Dakota [Mr. JOHNSON] is absent on account of illness in his family. The senior Senator from Kentucky [Mr. BECKHAM], the junior Senator from Kentucky [Mr. STANLEY], the Senator from Missouri [Mr. REED], and the Senator from Rhode Island [Mr. GERRY] are detained from the Senate on public business.

The PRESIDING OFFICER. Seventy-nine Senators have answered to their names. There is a quorum present.

Mr. BORAH. Mr. President, the British Empire is one of the great institutions of the world. In its structure it is unique among all governmental institutions of the present time or which have ever existed. It is the product of time, of experience, and of the statesmanship of a long line of some of the most illustrious leaders in all history. It is composed of widely separated peoples, and, locally, of different forms of government, but brought together in such manner as always to insure, in every great emergency, unity of action among all the different parts of the Empire. Men may speculate as to the separate interests of Canada from those of England, or of Australia from some other dominion of the British Empire, and speculate as to what, under certain emergencies and conditions, this or that dominion might do; but history warrants us in assuming, certainly for the purpose of action on this treaty, that in all vital affairs and in matters of great emergency the British Empire act as one when interests dictate action as a unit, and act separately when interest dictates otherwise. I do not say this in criticism of the British Empire. I am simply stating an historic fact concerning which there can be no successful dispute.

In other words, it is a league of itself, the most perfect, best-tested, and tried league which has yet been in any way inaugurated among men for the purpose of governing affairs, and in all great concerns, in all matters of great moment they always act together, as the momentous period of 1914-15 so conclusively disclosed. Therefore, while composed of different dominions and having their local different interests, in matters in which we would be concerned we might expect them to act in unity.

The covenant of the league of nations, as it is now presented to the Senate, provides for six votes upon the part of the British Empire in the assembly to one vote upon the part of the United States. We claim, through our desire of having this remedied, that this gives to the British Empire a distinct advantage for which there is no reason and no just necessity, an advantage consisting not alone of the mere number of votes cast, but an advantage of prestige and power in the direction and domination of the affairs of the league generally.

It is now conceded throughout the English dominion, so far as I have been able to trace the literature upon the subject, that it does give the British Empire a distinct advantage. The only place that I have heard that it was not an advantage to the British Empire has been in the United States, and princ-

pally in the Senate. No English journal dealing with the subject, no Canadian spokesman upon the subject, no Australian advocate of the proposition has ever contended that it does not give the British Empire an advantage. Some undertake to contend that although an advantage they are entitled to it. Others apologize for it and have gone so far as to say the British Empire should not seek to have this advantage and should waive it. But so far as my investigation goes, and I have made some effort to ascertain the views of those representing the British Empire in its different parts, no one contends that it is not a distinct advantage and, many have well said, otherwise it would not have been so earnestly sought. Indeed, the British statesmen and British diplomatists do not spend much time upon immaterial and inconsequential affairs, and they would not have sought so earnestly to secure this had they not deemed it an advantage, and they very frankly now confess that it is an advantage.

Perhaps the most ambitious argument which has been made in favor of the league upon this particular subject was the extended speech of the Senator from North Dakota [Mr. McCUMBER]. Holding a high regard for his views, I think it may be just as well to organize my observations around the contention made by the Senator. He has stated the matter as fully as it has been stated by those who are in favor of maintaining the covenant as it now is. In his remarks some days ago in the Senate he said:

I purpose to demonstrate not only the lack of necessity for such amendments to balance any supposed inequality in the voting strength of any power but also the great injustice, the gross wrong such proposed amendments would do to Canada, Australia, New Zealand, and South Africa.

As to the Senator's purpose to demonstrate that there is no necessity for the amendment in order "to balance any supposed inequality," I will deal with that as I proceed; but let me say here, in the beginning, that I know of no amendment which seeks to deprive Canada or Australia or New Zealand of representation in the assembly or of a vote. The amendment offered by the able Senator from California [Mr. JOHNSON] does not seek to modify their power or their influence as it is now in the league. We are not endeavoring to exclude our neighbor upon the north from participation in the assembly; neither are we endeavoring to exclude New Zealand or Australia; but we are seeking simply to equalize in so far as we may the power which the British Empire will have, by reason of exercising this right, by increasing the prestige and the power and the vote of our Republic. I do not think that the Senator is justified in opening his address with the statement that we are seeking by this amendment to do an injustice to our neighbor upon the north or to any one of the British dominions or colonies.

If I had my way about it, I should prefer, if either had to drop its vote, that England rather than Canada should drop her vote, for the simple reason that Canada is here upon the Western Continent; she breathes the western atmosphere and is not so calculated to be moved and controlled by the intrigues of Europe or by the European system.

Furthermore, the Senator from North Dakota said:

Of all the many false declarations that have been made concerning the league of nations, none has been so persistently indulged in as the one concerning the voting power of Great Britain.

It is coming to be, Mr. President, rather a familiar method upon the part of those who are advocating impossible things in connection with the proposed league of nations to contend that the mere statement of a naked fact concerning the league is a misrepresentation, and the Senator from North Dakota indulges in that quite as often as anyone else, with, perhaps, the least justification of anybody for doing so, viewing his own statements concerning what is in the league covenant. No Senator has misstated a fact concerning this matter. The statement is made that the British Empire has six votes in the assembly to the one vote of the United States. What is there false about that? Where is the misrepresentation? Does anybody deny it? One may draw a different conclusion from another as to the effect of their having six votes to our one, but the fact upon which the argument is based is indisputable and can not be sincerely charged to be misrepresentation in any sense of the word.

Mr. POINDEXTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Washington?

Mr. BORAH. I yield.

Mr. POINDEXTER. The President of the United States, according to reports of his speech at Salt Lake City, stated that the British Empire did not have six votes in the league.

Mr. BORAH. My own remembrance is that the President stated that our vote of one was equal to their vote of six, by

reason of the requirement of a unanimous vote, which I will come to in a few moments.

Mr. POINDEXTER. Just to make clear what my statement is, I desire to say that the report was that, while the President said explicitly that the British Empire did not have six votes in the league, he afterwards in the same speech stated that she did have six votes in the league; but, of course, both statements could not be true. However, the President went on to qualify the first statement by saying that the six votes of Great Britain were of no more weight than our one vote.

Mr. BORAH. Precisely; I understand that to have been the position of the President; while stating the proposition that they had six votes, that that fact was neutralized by the fact that the vote had to be unanimous. That proposition, however, I will deal with later.

The Senator from North Dakota also made the statement:

And from the letters I have received and the press reports I have read, these unfounded assertions concerning this voting power have taken a deeper root in the mind of the public than any other criticism aimed at the league.

That is perhaps true. The statement that Great Britain or the British Empire has six votes in the assembly to our one has taken a deep hold upon the American mind. The very statement affronts their sense of equality, their sense of justice, and their conception of the dignity of our country. The Senator from North Dakota and others, being expert mathematicians, may argue that it has this effect or that it has not this effect; but the people understand that here is an assembly which may become the conclave of the world, in which matters of tremendous concern are to be taken up and considered, and they see that in that assembly an entity known as the British Empire has six votes to the one of the United States. Naturally it has taken a deep hold; and, undoubtedly, from the statement of the able Senator, he has heard from the people upon that question.

Generally speaking, Americans are a very intelligent people; but they are not all expert mathematicians like the Senator from North Dakota. They have not reached the point where they can demonstrate to a certainty that one is equal to six; they are unable to see, as the Senator from North Dakota so quickly sees, that while apparently upon its face there is an inequality, in view of the fact that one equals six votes in influence and voting power, it really amounts to nothing.

I have always had great respect for the able Senator from North Dakota as a legislator, but after reading his speech I concluded that I had not fully appreciated his varied attainments, and that he is also the greatest mathematician since Sir Isaac Newton.

Mr. President, the Senator organizes his speech around three propositions. If these propositions should chance to be false I think it would be conceded that his speech would fall to the ground. I do not mean false in the sense of a willful misstatement of facts, but false in the sense of a wholly erroneous construction of the covenant. His first proposition, stated over and over again, is that while the British Empire has six votes in the assembly, no member of the British Empire other than Great Britain, with one vote, can ever be a member of the council. Around that proposition the Senator assembles his entire argument. The assembly, he contends, is to a marked extent a powerless body, that the council is the dominating and controlling power, and as no dominion or colony can ever have a vote in the council, we need not become disturbed over the fact that they are more fully represented in the assembly.

In the first place, upon what theory can it be argued that the dominions can not have representation in the council? Is there any provision in the league covenant which inhibits it? Is there any clause or phrase in the covenant itself which says that Canada, if she can secure the votes, is not entitled to representation on the council, just as any other nation may become a member of the council if she can secure the votes? Is there any obstacle to Canada becoming a member of the council that does not exist with reference to every other signer of the treaty? Is there any obstacle to Australia becoming a member of the council if she can secure the votes, any more than in the case of Belgium? There is not a clause in the covenant which inhibits either becoming a member. They are signatories to the treaty; they are members of the league; they have a separate entity; they are recognized for the purpose of the league as a separate entity; and they have all the rights and privileges under the league that any other nation has. Standing as signers of the treaty and of the covenant the same as other powers, how can it be argued that they are not permitted to enjoy all the rights of the covenant the same as other powers? When we look for the inhibition we do not find it, and without it such contention must fail.

Mr. President, let us pursue this question of the right of the dominions or colonies to have membership in the council.

When Mr. Borden left Canada during the time that the war was in progress to attend for the first time, upon invitation, the council at Paris, which had to do with the directing of the war, he immediately took the position that the dominions and colonies of Great Britain should have their separate representation in that great council; and when the league of nations came to be formed, the fight which Mr. Borden made and the fight which he won was that the dominions and the colonies should have all the rights under the league that any other separate nation had—not only the right to sit in the assembly and to participate in the so-called debating society, but he was very careful to include the right to sit in the council, supposed to be the source of power of this league. Mr. Borden contends that he was successful in his contention, and I do not think there can be very much doubt about it, in view of his statement and the letter which was signed by M. Clemenceau, the President of the United States, and Lloyd-George.

I read a paragraph from a statement made by Mr. Borden a short time ago in regard to this matter:

The new and definite status of the dominions at the peace conference is further manifested in the constitution of the league of nations. Since they had enjoyed the same status at the peace conference as that of minor powers, we took the ground that the dominions should be similarly accepted in the future international relationship contemplated by the league. The league of nations' commission, while inclined to accept this in principle, did not at the outset accept all its implications, as was apparent in the first draft of the covenant. This document, however, was professedly tentative. The dominions' case was pressed, and in the final form as amended and incorporated in the treaty of peace with Germany, the status of the dominions as to membership and representation in the assembly and council was fully recognized.

That was the contention of Mr. Borden—that they should not only accept the statement as a matter of principle, but they should accept it in all its implications, to wit: That Canada should enjoy the same rights under the league as Serbia, Belgium, or any other self-governing independent nation or power; and he is particular to include in that not only representation in the assembly but representation in the council. When the ex-President of the United States proposed a reservation which would exclude them from membership in the council, it immediately became a matter of criticism in Canada and was seriously objected to, and, so far as I know, has been dropped.

Mr. HITCHCOCK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I yield.

Mr. HITCHCOCK. Could Canada or any other self-governing dominion or any other nation be elected a member of the council without the vote of the United States?

Mr. BORAH. Mr. President, I will come to that in just a few minutes, and will then deal with it.

Mr. HITCHCOCK. I should like to have the Senator come to it right now, because it is a critical matter, and if it can not be his whole argument falls to the ground.

Mr. BORAH. The Senator from Nebraska will permit the Senator from Idaho to pursue his subject in his own feeble way. If, when I get through, I have left untouched any of these subjects, I shall be glad to take the rest of the afternoon, in company with my genial friend, to discuss them; but I have an idea of logic in the presentation here, and while I do not propose to omit anything, I prefer to follow the course I have outlined, in order that there may be some continuity of presentation.

Mr. WOLCOTT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Delaware?

Mr. BORAH. I yield.

Mr. WOLCOTT. I desire to ask the Senator if anyone has seriously contended that the British dominions or self-governing colonies would not be eligible to membership in the council, provided, of course, they could get the votes?

Mr. BORAH. Why, Mr. President, if the Senator will read the address of the able Senator from North Dakota [Mr. McCUMBER], he will observe that he stated twice over that they could not become members of the council. The Senator from Mississippi [Mr. WILLIAMS] and the President have taken a similar view.

Mr. WOLCOTT. I have read parts of that address of the Senator from North Dakota, but I had not observed that portion of it.

Mr. BORAH. I think I shall have occasion to enlighten the Senator from the statement of the Senator from North Dakota himself in a few minutes.

The recognition and status accorded to the British dominions at the peace conference were not won without constant effort and firm insistence. In all these efforts the dominions had the strong and unwavering support of the British prime minister and his colleagues.

A great deal has been said, Mr. President, to the effect that Great Britain did not want these votes, that they were tendered as a matter of graciousness for the service which the dominions had rendered during the war. The fact is that a long, persistent contest was waged inside of that secret chamber, where the intelligence of the world has not been permitted to penetrate, for the purpose of securing this right, and it was led by the prime minister of England, supported by the great men from every part of the globe representing the British Empire. It is a fine illustration of what will happen time and time again in the assembly, and possibly in the council—that Mother England, with her great leaders, will be surrounded and aided and abetted by her able men from all parts of the world in accomplishing her purposes, and will accomplish them through influence and persuasion and power as they accomplished them at Versailles.

Mr. McCORMICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Illinois?

Mr. BORAH. I yield.

Mr. McCORMICK. I simply wanted to ask the Senator if, in reading that debate, he had noted the remark of Sir Robert Borden, that every one of the great powers had opposed the admission of the dominions during those secret deliberations, but, nevertheless, they were overcome?

Mr. BORAH. Yes; I thank the Senator. I will come to that.

The same indomitable spirit which made her capable of that effort and sacrifice made her equally incapable of accepting at the peace conference, in the league of nations or elsewhere, a status inferior to that accorded to nations less advanced in their development, less amply endowed in wealth, resources, and population, no more complete in their sovereignty, and far less conspicuous in their sacrifice.

In other words, Mr. President, Mr. Borden understands clearly and definitely that both as to the council and as to the assembly, while the British Empire is linked together by common interests and common aspirations, when it comes to the question of votes they have as separate an entity as the other nations which have signed this treaty; and that is the position that the British Empire occupies—that while they are one for their common interest, they occupy a voting capacity based upon the principle of separate and distinct nations.

What do the three gentlemen who presided over the destinies of the world at Versailles say in regard to that?

Mr. Borden, I take it, is a very far-seeing, capable leader, and he was not willing to leave this question of the position or status of the dominions and colonies to future guessing, and therefore he required of those who made the instrument a construction of it, and required that that construction be deposited contemporaneously with the instrument itself.

They say:

The question having been raised as to the meaning of article 4 of the league of nations covenant, we have been requested by Sir Robert Borden to state whether we concur in his view that upon the true construction of the first and second paragraphs of that article representatives of the self-governing dominions of the British Empire may be selected or named as members of the council. We have no hesitation in expressing our entire concurrence in this view. If there were any doubt, it would be entirely removed by the fact that the articles are not subject to a narrow or technical construction.

That is the only possible construction which could inhibit them, and even that could not, from being members of the council—a most narrow, strained, and technical construction. But this letter, in the first place, states that there is no doubt that Mr. Borden's view is correct; and, secondly, if there were any doubt about it, it would be supported by the proposition that this league is to be construed in a broad and a most generous way.

A few days ago the able Senator from Minnesota [Mr. NELSON], an enthusiastic supporter of the league, introduced into the Record an article by Mr. Alfred H. Bright, stated by the Senator to be a distinguished lawyer of Minneapolis. I assume that that is correct, not only from the statement of the Senator, but from the fact that in looking up the record I see that Mr. Bright is general attorney for the Soo Railway, located at Minneapolis. Therefore I quote his statement with some degree of satisfaction upon this particular question. He not only is an able lawyer, but he would be likely to know the Canadian view, in view of his position.

Mr. Wilson was right when he said the dominions were eligible because four of them could be chosen to take the place of Belgium, Brazil, Greece, and Spain, and the fifth might be represented if the number of league members having the right to representation on the council were enlarged as provided in article 4 of the covenant. If, then, everything was done as provided by the covenant to the end that Great Britain and the dominions should all be represented on the council they would be.

In other words, so far as the terms of the covenant itself are concerned, they occupy no different position than any other nation and they are just as much entitled to a position upon the council as any other power.

The able Senator from Nebraska [Mr. HITCHCOCK] asked, Could they secure a position upon the council without the unanimous consent of the members of the council?

Let me assume, to start with, that the implication of his question is absolutely correct—that it would require unanimous consent of the council. What I am contending for is that they occupy precisely the same position under the covenant that every other nation does. While they, we will assume, must have unanimous consent, so must Belgium, so must Brazil, so must any other nation. In other words, Great Britain has six members who have the same rights under the covenant as any other nation has, and if they can secure the votes they must secure them in the same way that Greece or Brazil would secure them. They must pass under the same surveillance as Brazil or Greece must pass—no different at all—and tell me why the United States should consent that under the terms of the league itself one entity or one great empire should have the right to have five times the vote in the council and six times the vote in the assembly that this Republic would have?

Mr. President, these facts are thoroughly supported by the plain terms of the league itself, and I want to ask this: Suppose a question arose as to the election of an additional member to the council. It is true, we will assume, that the United States by its single vote could veto the election of Canada as a member of the council. But we having agreed in advance to a covenant which gives Canada all the rights and privileges of any other nation, upon what theory could we stand there and reject her from being a member of the council? If we are to limit, we must limit in the covenant, for autocratically to say that "You shall not enjoy the right which the covenant insures" is to place upon us an arbitrary and unconscionable power which no nation would desire to use.

If Canada understands that she has just the same right to enter this council as any other nation, what will be the relationship between Canada and the United States if we say, "Yes; you have the same right as every other power and any other power, but we will not consent to it, because we have the unquestioned power to prevent it"? If Canada is notified in advance that she can not enjoy that power, and is notified by the terms of the league itself, the onus, the disagreeable onus, is not placed upon the United States of violating the implications of the league by the arbitrary power of her right to refuse her.

So, Mr. President, we do not propose to deny Canada admission to the council. We simply say that the voting power of this Republic shall at all times be equal to that of the British Empire. We are perfectly willing that the British Empire, in its peculiar structure, shall retain its integrity. We have no desire to interfere with the internal workings of that great institution. But, our Republic being vitally concerned, we have a right to say that, "You having organized your institutions as you have, we are entitled, in a world league, to sit with you with equal privileges and equal power in the running of the world's affairs." That is the sum and substance of this amendment, and nothing more.

The able Senator from North Dakota [Mr. McCUMBER], in discussing this, says:

But you say Canada might be added to the council. Mr. President, that is an impossibility under any reasonable construction of this compact.

The able Senator from Delaware [Mr. WOLCOTT], who asked the question a few moments ago, will observe the language of the Senator—

That is an impossibility under any reasonable construction of this compact.

Not upon the theory that they can not get the votes, but upon the theory that the compact does not permit it. That is the position of the Senator from North Dakota. He says further:

The power to admit new members to the council is contained in the second paragraph of article 4, which reads:

"With the approval of the majority of the assembly, the council may name additional members of the league."

Keep that in mind—

"whose representatives shall always be members of the council; the council with like approval may increase the number of members of the league to be selected by the assembly for representation on the council."

The comment of the Senator is:

I call special attention to the fact that the countries whose representatives shall be so selected by members of the council are to be "additional members of the league." As these self-governing dominions are, by the terms of the instrument itself, already made members of the league, they could not be included in the phrase "additional members of the league." Therefore, neither Canada nor any other British dominion could, by any possibility, be made members of the council.

And thus he reasoned to such masterly conclusion that from the compact itself they could not be made members of the league, because they are now members of the league, and they could not be additional members of the league, the only kind which could

be added to the council. But while the Senator was denouncing those who were opposing this provision in the covenant for misrepresentation he left out of his review an entire paragraph which covered the subject he was dealing with and which permitted the addition of four or five members to the council.

I call the attention of the Senate to article 4, paragraph 1, which reads:

The council shall consist of representatives of the principal allied and associated powers, together with representatives of four other members of the league. These four members of the league shall be selected by the assembly from time to time in its discretion. Until the appointment of the representatives of the four members of the league first selected by the assembly—representatives of Belgium, Brazil, Spain, and Greece shall be members of the council.

Now, as the lawyer, Mr. Bright, says in his statement, they would have a perfect right, so far as the terms of the league are concerned, to elect four members of the British Empire to positions upon that council.

I do not say, Mr. President, that such election of four members would be a practical proposition in its full import, but they have a right under the league to do it. There is no inhibition against it. They may take the places of these four powers and fill them with members of the British Empire if they see fit to do so.

But they say it will take a unanimous vote to get Brazil and Greece and these other powers out of the council. I do not think that that is the construction which is to be placed upon it. Bear in mind, "These four members of the league shall be selected by the assembly from time to time in its discretion. Until the appointment of the representative of the four members of the league first selected by the assembly," these other powers shall sit in the council.

It says "until." When the assembly elects the other four members, the term of office of the four members of the council now there expires. They do not have to be ejected. They are elected, and remain until a reelection takes place, and the term of office expires the moment that the election takes place.

So, sirs, so far as the terms of the covenant itself are concerned, the assembly could elect four members of the council representing the dominions and Great Britain to sit with the British Empire with her one vote in the council.

You say that it is an impractical proposition. It may be as to the four, not an impossible proposition, not an inhibited proposition, and not any more of an absurd proposition than the concession that Great Britain should have six votes to this Republic having one.

But I do not concede the proposition that there must be a unanimous vote in the assembly to elect new members to the council. It is by no means clear that article 5 applies to such a proceeding. It will be observed that article 4, which provides for the election of the new members of the league, permits a majority vote with reference to the number of members of the league and election of additional members of the league whose representatives shall be members of the council, and permits a majority vote for the increase in the number of members of the league to be selected by the assembly for representation on the council. Article 5 says that all "decisions" shall require the agreement of all members. But in view of the fact that it is article 4 which deals with this question of the election of members of the league and that the election may not necessarily mean a "decision," I am of the opinion that the ultimate construction which will be placed upon this covenant will permit a majority of the assembly to elect new members of the council. And it is also to be borne in mind that if that construction is to be placed upon it there is no one to review the construction. They construe their own powers, and there is no court of appeal, no review, one of the absurd and dangerous features of the league scheme.

The second proposition of the Senator was that in a dispute between Great Britain and any other nation the dominions would have to stand aside and would have no vote; in other words, that Great Britain would vote as a unit, that the British Empire would be represented as a diplomatic unit. In the first place, Mr. President, there is no provision in the league or the covenant expressing that view. There is no term or phrase which leads to that construction. What is there against that construction? There is against that construction the fact that each one of these dominions signs the league separately, is recognized as a separate and distinct entity, a nation with nationhood of its own, and therefore presumably entitled to act separately from any other power. That is exactly, mind you, the contention which Mr. Borden and Mr. Hughes and Gen. Smuts made from the beginning of this fight. They did not propose that England should represent the dominions even in the signing of the treaty. They did not propose that England should ever again have the right to draw them into war without their individual action, and they said so. They stated

plainly that there were conditions which they would have a right to deal with separately and distinctly, and to that end they fought out the question of having their separate signatures, their separate relationship, and their separate nationhood as members of the league.

But you will bear in mind the correspondence which took place between Mr. Milner and Mr. Borden with reference to the signing of the treaty, Milner calling Borden's attention to the fact that they could put a clause in the treaty itself which would authorize the binding of the colonies and dominions by the act of the British Empire itself. Mr. Borden communicated to Mr. Milner that that would not be acceptable; not only that it would not be acceptable, but that if it was urged it would lead to trouble of a serious nature in the dominions. He said in this interview which I have quoted that the fight was for a separate and distinct nationhood, so far as the colonies or the dominions were concerned; that they had interests which they were not willing to have bound by the action of the British Empire itself, and that is the understanding now of the Canadian Government, of the Australian Government, and, I presume, of the other dominions, although I have not seen their expressions. So, Mr. President, we must conclude that the understanding upon the part of the dominions is that they would have a right to sit in a matter where they were not primarily concerned, although the British Government might be directly and primarily interested. I believe that is the fair and reasonable construction of this nebulous instrument. It is the construction which the dominions now insist upon and which they will insist upon. Who doubts it is the construction which will obtain?

The third proposition, Mr. President, is this, that the dominions are not permitted, says the Senator, to vote upon anything of importance; that they are, to use a popular expression, mere members of a debating assembly; that all they can do is to make up a report, or help make up a report; and that they exercise no real power.

I thought I could detect an inconsistency in the able Senator's argument, because with great effect he argued that these separate colonies had made such sacrifices in the war that it was nothing less than a wrong for us to deny them all the rights of other members of the league. But he finally concluded his argument by saying that the sacrifices which they made, the loss of their men, the fight which they made for the civilization of the world, will be satisfied by a position in an assembly without power, and where they can do nothing but debate.

Mr. President, that is not a correct position to take with reference to the assembly, even if they could not be a member of the council, which I do not concede. What is it that this assembly does, in the first place? The assembly is the source of all power under this league, so far as control of the membership, and thereby the directing of the league itself, is concerned. I need not say to a body of men who have had some experience in politics anything about the influence of a powerful delegation in the way of moral prestige and intellectual power in dealing with a question in an assembly or in a convention, even where they are limited in vote. If the British Empire were confined to but 1 vote and still had 18 members of that assembly, think of the tremendous, controlling, dominating influence of 18 powerful men, bound together by common interest, sitting in an assembly against a nation which has 1 vote and 3 delegates.

But this report is something more than the report which the Senator seems to have in mind. What is the object of this report which comes from the council and finally from the assembly? If a controversy arises between two nations which they are not willing to arbitrate, it may be sent to the council. If the council desires, it may send it to the assembly. If any dissatisfied member desires, it may send it to the assembly. So any question which arises under articles 12 and 13 may, under paragraph 9 of article 15, finally lodge in the assembly.

The assembly is the great supreme court, as it were, of all the controversies which may arise under the league of nations. True, as the Senator says, it does not definitely decide as a court or board of arbitration, but it does that upon which the President of the United States bases his belief that we can prevent war. It does the same thing that the council does; it has all the power that the council has. It makes its report, and upon that report it is expected to control the public opinion of the world. Upon that report it is expected that you will prevent war. Upon that report it is expected that you will put some nation at a disadvantage in the public opinion of the world.

Could there be anything more vital, more controlling, or more important than the power to make up this report which, if it is to have the effect the league organizers think, is to control the peace of the world? It makes its findings of fact,

they are published to the world, and by them the world is supposed to be controlled. Does anybody deny that in making up that report, in which the interests of the United States and her honor might be involved, the British Empire has 18 delegates and 6 votes? Does anybody deny that in making up that report, which is a matter of procedure, they may act by a majority and not by unanimous consent?

Every particle of power for controlling the public opinion of the world centers finally in the assembly, and in making it up and shaping it the United States stands there with one vote and three delegates. Against her may be arrayed the British Empire with 6 votes and 18 delegates.

Mr. REED. Mr. President, may I interrupt the Senator? I do not wish to interrupt him if it will disconcert him at all.

Mr. BORAH. I yield to the Senator from Missouri.

Mr. REED. As I understand the proposition, if there is a unanimous report by the council it absolutely binds the nations. If there is a unanimous report by the members of the council sitting on the assembly, plus a majority of the noncouncil members of the assembly, the effect is exactly the same as a unanimous report by the council; it is binding. In both those instances the party to the dispute does not sit. If we have a dispute with Great Britain, we do not sit on the council if it is there decided, neither do we sit in the assembly if it is there decided. So the effect of a unanimous decision of the council barring the members parties to the dispute, or a decision by the assembly barring the members parties to the dispute, is absolutely binding. Any nation which does not comply comes within the provisions of article 16, which I read:

Should any member of the league resort to war in disregard of its covenants under articles 12, 13, or 15, it shall ipso facto be deemed to have committed an act of war against all other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

It shall be the duty of the council in such case to recommend to the several Governments concerned what effective military, naval, or air force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

The members of the league agree, further, that they will mutually support one another in the financial and economic measures which are taken under this article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the members of the league which are cooperating to protect the covenants of the league.

So if they get a unanimous decision by the council minus the parties, or if they get a decision of the assembly, which is made up of the unanimous vote of the members of the council, minus the parties, and a majority of the noncouncil members of the assembly, and we disregard it, the whole league goes to war with us.

Now, sitting in that assembly, with the full right of a vote, are all the British colonies and dependencies that are named, even though the British Empire and the United States have a dispute.

Mr. BORAH. The Senator from Missouri is presenting another angle of the proposition.

Mr. REED. I beg the Senator's pardon.

Mr. BORAH. I thank the Senator for the interjection, but I was presenting the phase of it where the action was had without unanimous vote.

I call attention now to paragraph 2 of article 5:

All matters of procedure at meetings of the assembly or of the council, including the appointment of committees to investigate particular matters, shall be regulated by the assembly or by the council, and may be decided by a majority of the members of the league represented at the meeting.

All matters of procedure, the appointing of committees, and that power which brings before the league, by reason of the report of the committees, are decided by a majority and not by unanimous vote.

Mr. President, to show how this thing, in its windings and meanderings, gathers up power as it goes along, and to illustrate the far-reaching insight of English diplomacy—of which I do not complain; I admire it—let us look at the labor organization.

Every member of the league is a member of the labor organization. This gives the British Empire six members and the United States one member in the labor organization. There is no camouflage about that. The assembly has nothing to do with that. That is not a debating society. That is the labor organization, and our laboring men would be sitting there with one-sixth of the power of the British Empire, and the United

States would have precisely the same power as India. I know now upon reflection that it will be flattering to Mr. Gompers, in his advocacy of the league of nations, that this great Republic, which has been building up the status and dominance of the laboring people of the United States for the last hundred years, should immediately descend to the common level of having the same power in the assembly as India, where they work for about one-fortieth the amount that laborers of the United States get per day.

That is found in article 387. The general conference of the labor organization is composed of four delegates from each State. This would give Great Britain 24 delegates, the United States 4, and if we count Hedjaz and Persia, it would give Great Britain 32 and the United States 4 in the labor organization.

These delegates are distributed, two Government delegates, one labor delegate, and one employer delegate, so that Great Britain would have six labor delegates and the United States one, Great Britain six employer delegates and the United States one.

The governing body of it will be composed of 24 persons. Twelve of those persons represent the Government, 6 the employers, and 6 the workers; 8 of the 12 representing the Government are to be selected by members which represent the chief industrial nations. Then the other 4 are to be nominated by the Government delegates to the conference, excluding the delegates of the 8 members mentioned above. Assuming, therefore, that the United States should be one of the eight chief industrial nations and the United Kingdom of Great Britain and Ireland another, the delegates from New Zealand, Canada, Australia, India, and South Africa would remain on hand to help select the other four. In the selection of the four neither the United Kingdom nor the United States would have a vote, being one of the eight. The five members of the British Empire would have a vote in selecting the other four members. Then the six members who represent the employers and the six members who represent labor are to be selected by the delegates representing the employers and workers, respectively, from the different countries. So that in the selection of these two sets of delegates, employers and workers, the British Empire would have six times as many votes as the United States.

But, Mr. President, to consider this question from the viewpoint merely of the number of votes cast by a nation is to consider only a part of the subject, and by no means the most vital and commanding part. Let us consider it in its wider, deeper significance—that of moral prestige, of acknowledged leadership, of the conceded greater dignity which this provision accords to the one great commercial rival we now have in the business world, a rivalry, sir, which the British Empire has augmented with unusual activity and foresight every hour since the war closed. The skill and energy, the boldness and persistency with which she has been reaching out for trade and for commercial dominion, for raw material and for business advantage since the hour of the armistice has no parallel. This we had a right to expect and of this we have no right to complain. It is in perfect accord with her proud and puissant past; it is in harmony with her intense nationalism; it is the spirit which has made the history of England the most marvelous, in many respects, in the world. For myself, I do not complain of it; I frankly confess I admire it. There is only one thing in the world more contemptible than a nation without national spirit, and that is an individual without national pride. But as Americans let us not ignore these facts, and as prudent and patriotic men let us in all reasonable and honorable ways hold to every fair advantage in the great rivalry which is inevitably to continue. Let us therefore consider this particular question in the light of this unmistakable situation. For these six or eight votes which the British Empire is to have is a definite and preconceived part of her scheme for world dominion. Dominancy of the seas, article 10, and a vote for every colony or dominion which she has or may carve out of her vast holdings washed by the seven seas—this is the most sublime and masterly scheme for the leadership of the world ever contrived by the wit or ambition of man.

What, then, is the situation, viewed in its larger aspect? We are forming a league of nations. Within this league of nations is another league—old and tested and tried—the league of the British Empire. It touches every clime; it encompasses all races, colors, religions, and creeds; it has its coaling stations and armed forts in every part of the world; its guns are trained across every strategical pathway of the sea. There is no article of commerce essential to the wants of man, no luxury which his fancy covets, but the union jack commands. There she is, a world-wide, a world-dominant power, in comparison with which Rome at the height of her glory pales into insignificance.

And under article 10 we guarantee that this condition shall be eternal. We first concede the dominancy of the sea and then we pledge that our children and our children's children shall stand guard over her far-flung possessions. Not one foot of her territory shall be taken from her without her consent or without our surrender.

Now, under these conditions a conclave of the nations is called under the league. Some world policy of vast concern is to be considered, hammered into form, announced, and forever afterwards adhered to. Sitting within the league of nations is the league of the British Empire. All nations, great and small, are affected by her power, her influence, for there is no nation, great or small, but must be beholden to her for commercial favors, and all, therefore, naturally pay homage. But in addition to this, sitting about her leaders from mother England, cooperating and advising, scheming, managing, are her representatives from every part of the world, her able men from every quarter of the globe. Such men as Smuts, soldier and statesman from South Africa; the able and indomitable Hughes, from Australia; the vigilant and gifted Borden, from Canada; and men of equal power and acumen from New Zealand and India. Consider their influence upon that gathering—their power, their sheer intellectual and moral force to dominate every policy and shape every move. Then add to that the commercial and business alliances that may be tightened, or for favors granted, extended. Here you have a league within a league complete, dominant, and unchallengeable.

Let us consider, now, the position of our own country. In that conclave under the league she would have but one set of delegates—one vote in the council, one vote in the assembly. We yielded on the freedom of the seas at England's command. We yielded on the secret treaties and permitted them all, vicious and unconscionable as they were, to be interwoven into the treaty and unwritten by the league. We yielded on the protectorate of Egypt and surrendered in the matter of Ireland. Then, in the council and the assembly, the amphictyonic council of the world, we take a subordinate, a secondary position—yield our equality of prestige, equality of moral and intellectual power, equality of dignity and honor. We lower the Stars and Stripes even in matters of place and dignity to the union jack. When did obsequiousness become a characteristic of the American people? I would demand equality for my country in place and numbers in any assembly, whatever the function of the assembly. Much more would I demand it in an arena where the subtle forces are to be set in motion which may not only settle world policies but which may determine the life and death of nations. If this league of nations is a thing of reality, then it is a betrayal of our country to enter it upon any secondary basis whatsoever. Do you contend with me that unanimous voting is sufficient? Think of the shame of Shantung—the dishonor, the burning dishonor of Shantung. Think of that "damned spot" which all the perfumes of rhetoric can not guild or conceal. Did it come about of mere count of votes? Had that been so I venture to say that it would have been killed. It was agreed to before a vote was permitted to be taken. The immoral deal was made before the vote was recorded, and therefore it was a unanimous vote. The combined strategy, the intellectual domination of many men conspired and combined against one, broke him down, and he yielded; yielded, I have no doubt, in bitterness and humiliation, and grievously, in my judgment, has he suffered for it. But he yielded. It was unanimous. Why send into this world congress, where all the passions and ambitions of men are to be centered, one man as representative of this Republic to combat against such odds? Will not the European system at best be arrayed against the American? Why place, therefore, the representative of this Republic in those great conflicts at such disadvantage or at any disadvantage at all? Let us demand and stand firm until the demand is acceded to not only equality of votes but equality of prestige, dignity, and honor.

What fatuous dreamers we are. While we talk of a new day, yield up our most vital interests in the cause of a new era in which passion and greed are to give way to benevolence and brotherly love, our partners are taking possession of the earth. Sir Auckland Geddes declared a few days ago, "Every nation is short something that Great Britain can supply. American rivalry is a bugbear. She is not well placed in the world for trade." Think of this hard-headed, clear-headed, far-sighted Englishman talking such sacrilege, even before the unseasoned messiahs of the new kingdom can draw their phylacteries about them and escape from the contagion. While we were denouncing Germany as a thing too vile to enter into business with, England within a fortnight after the armistice reestablished complete business connections and has been in full busi-

ness blast with her ever since. Enmities have never been permitted to dull the edge of husbandry in that land of practical statesmen. While the wise men sat at Versailles discussing whereabouts in the heavens the star, token of a new dispensation, would likely appear, Great Britain stepped behind the curtain and closed a deal with Persia which gave her command of the highways of the Far East and placed under her control the last virgin fields of the world's oil supply. When the job was complete a report was made for the benefit of the English eye, stating, "We have stolen a serious march on our American competitors. All the known oils outside of the United States are now under British control. In 10 years America will be importing 500,000,000 barrels a year, for which she will be paying us a billion dollars a year."

In the imperial preferential tariff bill placed before Parliament in the month of August under the name of a preferential tariff, there is to be thrown around all the possessions of the British Empire what is in effect a protective tariff. Of course, this is well within their right if not exactly in accord with their late teachings. But it was interesting to observe that in this bill the territories for which the British Empire receives a mandate from the league of nations are included as a part of the British possessions for the purposes of this preferential tariff, which, among other things, discloses how thin and gauzy is the covering of true ownership under these so-called mandates. But in these different ways Great Britain moves with alertness to build up, extend, and protect British interests. I repeat it is not a subject of criticism but it ought to serve as a warning that the day of rivalry, of business competition, between these countries is by no means at an end. I recall it that it may serve as an inducement to vigilance upon our part, and to assist us in fairly and honorably protecting our interests in all matters. Great Britain will do as she has always done, leave no effort unasserted to augment her political and material power.

Idealists, yes—humanitarians, yes; but that wonderful people in whose blood tingles the fever of world supremacy, whose national spirit finds itself incarnate in such men as Rhodes and Geddes will sit in the council, will fill that assembly which you are creating, and the men who decline to arm the representatives of this Republic with every possible weapon of legitimate warfare, consciously or unconsciously, are bartering away the happiness, the prosperity, the dignity, and honor of the American people. When our markets are crippled, our mills are slowing down, and our workmen out of employment; when our representatives of the league come back compromised, out-generated, as in the case of Shantung and Egypt, and out-manuevered, as in the case of Persia, we shall realize that while generosity has its place in this world, too, is a thing which needs intelligence and prudence if it is not to end in shameless disaster. "The wise shall inherit glory, but shame shall be the promotion of fools."

What right, what possible right, has Great Britain to demand this advantage, and what right have we as temporary representatives of the people of this country to grant it? We were first told that Great Britain did not demand it—that it was frankly and quickly conceded as a gracious favor because of the services rendered by the dominions. We certainly do not challenge the service rendered by the dominions, but they rendered it as a part of the British Empire. Did not New York and Massachusetts render service as a part of the Republic? But it is now made plain by Premier Borden that this was not quickly granted. There was much opposition to it, and we are told that the premier of England valiantly fought for it. Do you think it was fought for as a toy, as an empty favor or an inexpensive courtesy? It was fought for because it was regarded as a matter of great worth to the Empire, as every reflecting man must know. It is a thing of advantage, otherwise it would not have been demanded. And why should the United States be placed at a disadvantage in this league? Did she not enter the war without bargain and end the war without gain? Did she claim any territory or reparation? Her dead are hostages to the liberty of the world. What is there in her record that she should be second to any sovereign on earth even, if you please, sir, in a debating society? By precept and example, by counsel, and by arms we have stood for liberty, for humanity. If this is a league for liberty, for humanity, why should not our place be among the first, why should not our voice be as mighty as that of any people, her place of vantage as great as that of any power?

Mr. KELLOGG obtained the floor.

Mr. LODGE. Mr. President, will the Senator from Minnesota allow me to make a request?

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Minnesota yield to the Senator from Massachusetts?

Mr. KELLOGG. I yield.

Mr. LODGE. Mr. President, it is necessary for the Committee on Foreign Relations to meet and continue their work at 4 o'clock this afternoon. Therefore I shall be obliged to leave the floor at that time; and I wish now to ask that at the conclusion of the remarks of the Senator from Minnesota the Senate take a recess until to-morrow morning at 11 o'clock.

The PRESIDING OFFICER. Is there objection to the procedure suggested? The Chair hears none, and it is so ordered.

Mr. KELLOGG. Mr. President, I desire to state briefly why I can not vote for the amendment of the distinguished Senator from California [Mr. JOHNSON]. I do not claim that the British Empire should have six votes in the assembly or more than one representative in the council; I shall not defend the action of the President in granting the demands of the British Empire in this respect. I do not think the President stood for all he should have, nor did he demand all he should have for his country at Versailles. I do not disagree in the main from the eloquent Senator from Idaho [Mr. BORAH]; but I do not think the amendment accomplishes what he claims. It does not accomplish any of the things which he seeks to remedy. If he proposes to decrease the influence of Great Britain in the assembly of the nations of the world, he must either take from Great Britain her six votes, which he does not propose to do, or he must give every other nation in the world the same vote under all circumstances and all conditions, which he does not propose to do.

Mr. President, I do not propose to minimize the great services performed by Great Britain during this war. I realize that the British Empire, as a whole, at the most critical moment of the world's history, at the hour of the greatest danger to the self-governing peoples, stood like a wall of rock, as she stood 100 years ago against the ambitions of Napoleon. I do not minimize her splendid services in this regard to the world; but, Mr. President, Germany was thundering at her gates as the Saracens were thundering at the gates of Europe twelve hundred years ago. She had no choice. If Great Britain had not come to the rescue of France, the British Empire must have fallen, as it would have a hundred years ago but for the memorable Battle of Waterloo.

Mr. President, I think we performed an equally great service to the world, as great a sacrifice to self-governing peoples, as great a service to humanity and to civilization as did Great Britain or any of the other great nations engaged in this momentous struggle.

I do not deny that it was the duty of this country to enter the war. We might have done so before. We should have raised a warning hand when Germany ruthlessly invaded Belgium. Had we prepared then, as we should have done, and entered the war, we could have ended it with much less sacrifice of blood and treasure and very much less suffering. I realize, however, that we were separated by 3,000 miles of land and water. If Germany had been victorious, she would have attacked the United States next. She committed crimes against us which we could not, as a self-respecting Nation, overlook, and when the time did come and we finally entered the war, we exerted an influence and power which Germany could not resist. Such an example as ours has never been recorded in all the troubled pages of history, where a nation marshaled millions of men, all her resources, and crossed the sea to help crush an ambitious enemy of all the world.

I am not here to claim for Great Britain a preponderant vote in the assembly. I am here to stand for American rights, American interests, American honor, and American civilization, but in doing so I can not overlook the rights of other nations.

I know it is said that this amendment is the test of Americanism. I am willing to answer for my Americanism before my people or the people of the United States. I may disagree with Senators, but not on that proposition. I do not claim that they are not as patriotic or their motives as high as mine; but when I have considered a matter and have made up my mind as to what I should do, I am responsible for my actions, and I am willing to answer for them.

The distinguished Senator from Idaho [Mr. BORAH] said, "We do not propose to take from the British Empire any of her votes, but to equalize her votes." He does propose to leave her to wield the power derived from her six votes, and I shall ask the attention of the Senate while I try to demonstrate that proposition.

The distinguished Senator says that this can not be measured alone by the number of votes or the questions upon which the

members can vote, but in the larger aspect by their influence in the assembly, the council of the world; but he does not propose by this amendment to equalize that representation or to give us the same number of representatives, but only the same number of votes when we can use those votes, and at no other time.

Mr. President, I can best illustrate the matter by stating certain questions which are the principal questions to be decided by the league or by the council of the league. Let me state the following cases: A case where we have a dispute with the British Empire; a case where we have a dispute with another member, for instance, say, Mexico; and a case of dispute between two outside members to which we are not a party. In none of these cases would this amendment give us six votes on any possible question. Now, if that be true, is this the best way to equalize our influence and our power in the league of nations?

Let me further illustrate. Take the first case, where we have a dispute with the British Empire. We would have no vote at all; the British Empire would not have a vote; but according to the construction of the distinguished Senator—which may be correct—the colonies and self-governing countries belonging to Great Britain would each have a vote, and I am willing by a reservation to deny them that vote.

Now, let us take the next case—where we have a dispute with another member, for instance, with Mexico. Great Britain might cast her six votes either with Mexico or against her, and we would have no vote at all. The only remedy is to provide that the British Empire shall have but one vote; and that the distinguished Senator says he is not willing to do, because he does not wish to take from Canada, Australia, or New Zealand their right to vote in the assembly. The amendment is as follows:

Provided, That when any member of the league has or possesses self-governing dominions or colonies or parts of empire which are also members of the league, the United States shall have votes in the assembly or council of the league numerically equal to the aggregate vote of such member of the league and its self-governing dominions and colonies and parts of empire in the council or assembly of the league.

But in the case of a dispute between the United States and the British Empire or any of her possessions, or a dispute between us and the Republic of Mexico, we would have no vote, and this amendment would not give us any vote, but would still leave Great Britain free to cast her six votes against us if she saw fit.

Suppose we had a dispute with Mexico, and she should ask under the provisions of the league to take that dispute to the assembly. No party to a controversy has any votes in the assembly or in the council, and therefore this amendment would still leave Great Britain to exert that influence which the Senator deprecates in the event of any contest between the United States and Mexico, exactly as she would under the covenant as it is drawn. There is but one remedy, either deny her all votes but one as the British Empire or put every member upon the same footing and foundation. This amendment does not propose to do it.

Now, let me take the third case, the case of a dispute between two outside countries.

Mr. CURTIS. Mr. President, before the Senator reaches that point—

Mr. KELLOGG. Unless the Senator wishes to make some announcement I would rather not be interrupted.

Mr. CURTIS. I wanted to ask the Senator a question, but if he declines to yield it is all right.

The PRESIDING OFFICER (Mr. HALE in the chair). Does the Senator from Minnesota yield to the Senator from Kansas?

Mr. KELLOGG. I yield.

Mr. CURTIS. I withdraw my question.

Mr. KELLOGG. No; I yield to the Senator.

Mr. CURTIS. I want to ask the Senator this question: In case of a dispute between Great Britain and the United States, if for any reason Great Britain had an idea that the council would be unanimous for the United States and removed that dispute to the assembly under the provision of the covenant as it is drawn, would not Great Britain have five votes in the assembly while the United States would have none?

Mr. KELLOGG. No; because neither Great Britain nor this country could vote in the assembly. They are excluded.

Mr. CURTIS. Yes; but the colonies could.

Mr. KELLOGG. This amendment does not remedy the inequality, because in no event would we have six votes; and if the colonies could vote, the amendment proposed by the distinguished Senator from California [Mr. JOHNSON] does not remedy it. That is the point I make. The only remedy is by a reservation, which I am in favor of, declaring that in case

of any dispute between a member having self-governing colonies and our own country, the self-governing colonies shall have no vote; the vote of the principal member shall be the only vote they are entitled to. But this particular amendment does not reach that.

Mr. CURTIS. I am afraid the Senator's construction of that amendment is too narrow.

Mr. KELLOGG. Which amendment is the Senator speaking of?

Mr. CURTIS. The amendment offered by the Senator from California [Mr. JOHNSON].

Mr. KELLOGG. It does not touch that point.

Mr. CURTIS. His amendment says that in any controversy in which we are concerned we shall have the same number of votes that Great Britain has.

Mr. KELLOGG. But we would have no vote in a controversy in which we were concerned.

Mr. CURTIS. But we want to be given the vote. That is what we are insisting upon.

Mr. KELLOGG. The answer to the Senator's proposition is this: The amendment of the Senator from California does not propose, in a dispute between this country and the British Empire, to give us an equal number of votes with that country. It is for that reason I am in favor of a reservation that where there is a dispute between this country and any member having self-governing colonies, neither the parent country nor the self-governing colonies can vote.

Mr. JOHNSON of California. Mr. President—

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from California?

Mr. KELLOGG. I yield.

Mr. JOHNSON of California. I simply want to correct the Senator in one particular, that is all; not to interrupt him. There is a corollary of this amendment which the Senator will find in the form of an amendment to article 15.

Mr. KELLOGG. I am going to speak of that.

Mr. JOHNSON of California. And in that corollary the exact thing that the Senator inveighs against is accomplished.

Mr. KELLOGG. I shall come to that amendment in a moment. The Senator from California is entirely right. The amendment which the Senator refers to is not the amendment offered by him, but the amendment offered, as I understand, by another Senator, Mr. Moses, from New Hampshire.

Mr. JOHNSON of California. The two were offered together, and they relate to the same subject matter.

Mr. KELLOGG. I will admit that. I do not wish to avoid that in the slightest degree. But the amendment referred to is found on page 31, and I will come to that in a moment. It provides:

Whenever the case referred to the assembly involves a dispute between one member of the league and another member whose self-governing dominions or colonies or parts of empire are also represented in the assembly, neither the disputant members nor any of their said dominions, colonies, or parts of empire shall have a vote upon any phase of the question.

That amendment would prevent the colonies of the British Empire from voting when we have a dispute with the British Empire, and I am in favor of the principle of that amendment, declared in a reservation, which will amply protect this country. I believe that may be the proper construction of the covenant, in any event.

But I realize that in many respects it is very indefinite, it is subject to different constructions by equally honest minds, and I am perfectly willing to make it clear by a reservation that she should not have such vote.

Mr. JOHNSON of California. Mr. President, will the Senator yield for just one question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from California?

Mr. KELLOGG. I yield.

Mr. JOHNSON of California. Do I understand the Senator to say that his construction is, under the covenant as it now stands, that the colonies of Great Britain could not vote in a dispute between one of the colonies of Great Britain and ourselves or another country?

Mr. KELLOGG. I say that that construction has been placed upon it by very able gentlemen.

Mr. JOHNSON of California. Does the Senator place that construction upon it?

Mr. KELLOGG. I hold that that construction might honestly and fairly be placed upon it by men of fair minds. I do not say that that is the proper construction.

Mr. JOHNSON of California. May I ask what the Senator's construction of it is?

Mr. KELLOGG. I will come to that in a moment.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. KELLOGG. No; I decline to be interrupted further.

The PRESIDING OFFICER. The Senator from Minnesota declines to be interrupted.

Mr. KELLOGG. I will take but a few moments, as I understand the Senate is to recess at 4 o'clock, and I hope Senators will permit me to proceed with my argument.

The third case which I suggested is a case of a dispute between two outside members of the league, say Mexico and Colombia, or any two members. I do not think that this amendment would give us 6 votes in such a case. If a party to the dispute demands that it go to the assembly, it will be sent there under article 15, which provides as follows:

The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within 14 days after the submission of the dispute to the council.

Then the section proceeds, and this is the provision to which I invite the Senate's attention:

In any case referred to the assembly all the provisions of this article and of article 12 relating to the action of the council shall apply to the action and powers of the assembly, provided that a report made by the assembly, if concurred in by the representatives of those members of the league represented on the council and of a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute, shall have the same force as a report by the council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute.

Note the language:

Provided that a report made by the assembly, if concurred in by * * * the council and a majority of the other members.

This country is a member of the council in such a dispute between Mexico and Colombia, and as such member of the council has a vote. But those voting in the assembly are nations which are not represented in the council, and therefore we would have no vote to make up that majority. In other words, the council must be unanimous in order that we can vote. Then it must be concurred in by a majority of the other members of the league who are not members of the council.

Mr. President, I have given three of the principal cases where there could arise a dispute between the United States and the British Empire, between the United States and any other member of the league, or between two members of the league other than the British Empire and the United States. In none of those cases, as I read this amendment, would it grant the relief which is demanded by the distinguished Senator from Idaho [Mr. BORAH].

I believe that my country is entitled to the same representation as any other country in the world, and I am willing that every other country should have the same representation as this country has. There is only one solution, and that is to provide that Great Britain, or the British Empire, shall have one vote, and only one vote.

Mr. President, I am not going to discuss the question raised by the Senator from North Dakota [Mr. McCUMBER] and so ably discussed by the Senator from Idaho [Mr. BORAH], whether the British colonies are entitled to a place upon the council. If they are, the amendment of the distinguished Senator from California [Mr. JOHNSON] and the amendment proposed by the Senator from New Hampshire [Mr. MOSES] do not cure this defect. I do not believe that the British Empire, which is a party to this treaty, as a whole ought to have more than one representative upon the council, and I am willing to vote for a reservation that provides that that is the proper construction of the covenant. I am quite aware that the President, Messrs. Lloyd-George, and M. Clemenceau joined in a letter to Mr. Borden stating that Canada was entitled, if she could be elected, to a place upon the council; and I am quite aware of the arguments of the Senator from North Dakota [Mr. McCUMBER] that, as the council is made up of representatives of the principal allied and associated powers, and as the principal allied and associated powers are the British Empire—not Great Britain—the United States, France, Italy, and Japan, the greater includes the less, and that when the British Empire is represented upon the council it necessarily, by implication, excludes the colonies of the British Empire. It will be noted that in the first provision of the treaty the principal allied and associated powers are defined as the United States of America, the British Empire, France, Italy, and Japan, these powers being described in the present treaty as "the principal allied and associated powers."

As the Senator from North Dakota [Mr. McCUMBER] says, the council is made up of representatives of the principal allied and associated powers, which include the British Empire, not

Great Britain, and he does not think the colonies of the British Empire are entitled to representation upon the council.

The distinguished authorities—the President, Mr. Lloyd-George, and M. Clemenceau—hold the opposite view, and I must admit that since these gentlemen framed the instrument their judgment is entitled to great weight. However, it is immaterial, because these amendments do not seek to remedy that situation at all.

As I said before, it has been proposed that this situation be corrected in the resolution of ratification by a reservation. Such a reservation, I am told, is before the Committee on Foreign Relations, and I shall read that reservation into the Record for the benefit of the Senators. It is as follows:

The United States assumes no obligation to be bound by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate, have cast more than one vote; or in case of any dispute between the United States and any member of the league in which such member or any self-governing dominion, colony, empire, or part of empire, united with it politically, shall have voted.

This covers both the amendment offered by the Senator from California [Mr. JOHNSON] and the amendment proposed by the Senator from New Hampshire [Mr. MOSES]. In other words, the distinguished Senator from Idaho [Mr. BORAH] says, "We do not propose to say that Canada, New Zealand, and India should not vote, but we propose to give the United States an equal vote." But the amendments do not accomplish that in any dispute.

This reservation would simply serve notice upon the British Empire that we decline to be bound by an award or decision in which any member and its self-governing colonies cast more than one vote.

It may be that in disputes we should not object to the votes of Canada and the other countries. I understand it to be the theory of the Senator from Idaho that they should vote, but I do think that it is entirely consistent for us to say, "If you propose to give them six votes, we shall not be bound in any dispute where that right is exercised to our disadvantage, if we object to it."

The second part of this reservation covers the amendment of the Senator from New Hampshire [Mr. MOSES]. It provides that we shall not be bound—

* * * in case of any dispute between the United States and any member of the league in which such member or any self-governing dominion, colony, empire, or part of empire united with it politically shall have voted.

Mr. President, I heard the argument of the distinguished Senator from North Dakota [Mr. McCUMBER] that in a dispute between us and the British Empire the colonies could not vote, but would be excluded. I shall not analyze that argument, for I realize the equity of his position. If we were construing an ordinary instrument, I realize that it could be well said that where the British Empire had a dispute with us it was a dispute with all the British Empire, which would include her colonies. Her colonies have no foreign relations. A dispute with Canada is a dispute with the British Empire.

I am willing, for the purposes of the argument, to concede the position of the Senator from Idaho, but I state unequivocally that no amendment is necessary to construe this covenant, so that no member in dispute with this country can control the vote of its colonies, self-governing dominions, or parts of empire in that dispute. This can be accomplished, however, by a reservation, for which I shall vote.

I wish to confine the limitation to this country. I do not wish to intermeddle in the affairs of the other signatory powers. If France, Italy, or Japan, or any other country desires that as between itself and the British Empire the latter may cast or have its colonies cast votes when the British Empire is interested it does not concern me. Therefore I wish that this reservation shall be confined to this country alone.

Referring again to the amendment, it provides:

Whenever the case referred to the assembly involves a dispute between one member of the league and another member whose self-governing dominions or colonies or parts of empire are also represented in the assembly, neither the disputant members nor any of their said dominions, colonies, or parts of empire shall have a vote upon any phase of the question.

In my opinion, if the treaty is returned with that amendment in it, it must be agreed to by all the other powers as between themselves, and France and Italy could not agree that the British Empire should have her colonies vote in a dispute with them. Under this reservation, however, we are not meddling in their affairs, and I am not concerned with their decision. I shall be satisfied when we have placed a reservation upon this instrument which prevents the colonies of a member from voting in a dispute between us and the parent government.

Mr. President, I do not see why we should seek to amend the treaty as between France, Great Britain, Italy, or any other members of the league when we can make a reservation apply to this country alone, which they may then accept and which will protect the United States.

Mr. President, through all this long contest I have constantly kept in mind that it is the bounden duty of the Senate to see that the honor, rights, and interests of this country are protected. I yield to no man in that desire. If we can accomplish that as between the United States and the other nations, I am willing that France, Italy, and the other powers shall do as they please, and I shall not ask them to change the treaty as between themselves.

I do not sympathize with the sentiment expressed by some that the Senate should simply adopt the treaty as it was written in Paris, and that we should not exercise our judgment upon these great vital issues so important to the honor, the stability, and the progress of this Nation. While I am willing to concede that Great Britain has done much to encourage democratic government over the face of the earth, I believe that we took a step in advance and that we have given to the world a Constitution which, as a model, has been copied by many nations in the last 100 years. I believe it is of the utmost importance that this country should maintain her institutions unimpaired, without the meddlesome interference of any other nation, for in that regard I am not an internationalist. But when I have voted for reservations which, in my judgment, protect the institutions and the future of this Nation, I am not willing to go further and urge that the other countries accept them as between themselves as the proper interpretation of the covenant. That is my position. I may be wrong; but I am willing to answer for it in the great court of public opinion, where we must all answer.

Mr. KING. Mr. President, I should like to ask the Senator just one question before he resumes his seat.

Mr. KELLOGG. What is the question?

Mr. KING. The Senator has indicated that the reservations to which he calls attention would, in his opinion, fully protect the United States. I refer to the reservation with respect to voting in the assembly. How does the Senator think the reservation would protect the United States in the international labor conference? I regard the labor provision as a very important one, one of the vital provisions of the treaty, and I am not quite sure that the discussion of the Senator illuminates the question as to the protection which our Government would have in the labor conference.

Mr. KELLOGG. The Senator from Idaho stated that the same representation would exist in the labor conference as existed in the league; and if that is true no decision of the labor conference, in which the British Empire and her self-governing colonies had more than one vote, would bind us in any respect. I have not given particular attention to the effect of it, but if this reservation does not cover it, of course, it can be made to cover it.

Mr. THOMAS. Mr. President—

Mr. KELLOGG. I yield to the Senator from Colorado.

Mr. THOMAS. There is this further difference between the two. The so-called Johnson amendment attacks a part of the league where unanimity of action by the council is required. The representation in part 13 of the treaty, which is the labor part, contains no provision for unanimity. There a two-thirds vote is all that is necessary, and if this amendment is needed here it is much more needed in part 13, to which it does not apply at all.

Mr. KELLOGG. That is quite true.

Mr. LENROOT. Mr. President—

Mr. KELLOGG. I yield to the Senator from Wisconsin.

Mr. LENROOT. I should like to ask if there is not this distinction, that as to part 13 the labor conference can take no action which binds the United States, under the terms of the treaty, without subsequent action by the United States.

Mr. THOMAS. That is true.

Mr. LENROOT. But that is not true of the league covenant.

Mr. THOMAS. That is true as it now stands. It will not be true very long after it goes into effect.

RECESS.

The PRESIDING OFFICER. The Senator from Minnesota having concluded his remarks, under the unanimous-consent agreement the Senate will stand in recess until 11 o'clock to-morrow morning.

Thereupon (at 4 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Thursday, October 23, 1919, at 11 o'clock a. m.